

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORTHWEST LIGHT AND POWER COMPANY
SPOKANE, WASHINGTON

confirms the right to use the waters of WIND FRUIT or FRET CREEK, POLE CREEK, and O'FERRELS GULCH, tributaries to POWDER RIVER, for IRRIGATION, DOMESTIC, MANUFACTURING, and MUNICIPAL USES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 6, at Page 291. The date of priority is MAY 15, 1895 for 37.5 CUBIC FEET PER SECOND (CFS) from Wind Fruit or Fret Creek and 12.5 CFS from Pole Creek for Municipal, Domestic, Manufacturing, and Irrigation, and AUGUST 1, 1904 for 5.0 CFS from O'Ferrels Gulch for Municipal, Domestic, and Manufacturing.

The amount of water to which this right is entitled is limited to an amount actually used beneficially for said purposes.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described, and shall be subject to all other conditions and limitations contained in said decree.

A description of the place of use, and to which the water right is appurtenant is as follows:

WITHIN THE CORPORATE LIMITS OF THE CITY OF SUMPTER, BAKER COUNTY, OREGON.

This certificate describes that portion of the water right confirmed by Certificate 4377, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 11 2007, approving Transfer Application T-10287. This certificate also describes the portion of the water right NOT cancelled by a letter from California Pacific Power Company dated January 7, 1954, abandoning Power Claim #33.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed MAY 11 2007.


Phillip C. Ward, Director