

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Killamacue Land Reservoir and Rock Creek Irrigation Company
Haines, Oregon 97833

confirms the right to use the waters of KILLAMACUE LAKE AND RESERVOIR, tributary to KILLAMACUE CREEK for SUPPLEMENTAL IRRIGATION OF 745.79 ACRES.

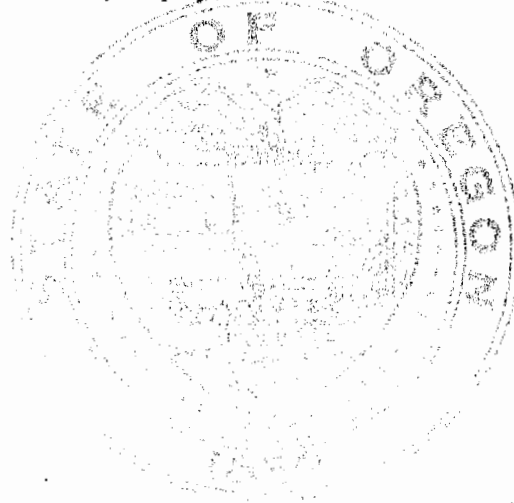
This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 6, at Page 291. The date of priority is AUGUST 22, 1900.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 233.82 ACRE FEET, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Ditch |
|-----|------|-----|-----|-------|-----------------------------|
| 8 S | 37 E | WM | 14 | NW NE | KILLAMACUE RESERVOIR OUTLET |

This appropriation shall be limited to a total quantity not to exceed three-fourths of the total storage in Killamacue Reservoir or a maximum of 233.82 acre feet on Tract 1 and a maximum of 38.42 acre feet on Tract 2. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.



This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

A description of the place of use to which this right is appurtenant is as follows:

| SUPPLEMENTAL IRRIGATION | | | | | |
|-------------------------|------|-----|-----|-------|--------|
| TRACT 1 | | | | | |
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 7 S | 39 E | WM | 20 | SW SW | 38.20 |
| 7 S | 39 E | WM | 20 | SE SW | 39.10 |
| 7 S | 39 E | WM | 20 | SW SE | 38.20 |
| 7 S | 39 E | WM | 20 | SE SE | 25.40 |
| 7 S | 39 E | WM | 21 | SW SW | 21.70 |
| 7 S | 39 E | WM | 28 | NW NW | 33.60 |
| 7 S | 39 E | WM | 28 | SW NW | 38.80 |
| 7 S | 39 E | WM | 28 | NW SW | 39.30 |
| 7 S | 39 E | WM | 28 | SW SW | 34.30 |
| 7 S | 39 E | WM | 28 | SE SW | 8.00 |
| 7 S | 39 E | WM | 29 | NE NE | 40.80 |
| 7 S | 39 E | WM | 29 | NW NE | 40.00 |
| 7 S | 39 E | WM | 29 | SW NE | 40.00 |
| 7 S | 39 E | WM | 29 | SE NE | 40.00 |
| 7 S | 39 E | WM | 29 | NE SE | 40.00 |
| 7 S | 39 E | WM | 29 | SE SE | 38.30 |
| TOTAL ACRES | | | | | 555.70 |

| SUPPLEMENTAL IRRIGATION | | | | | |
|-------------------------|------|-----|-----|-------|--------|
| TRACT 2 | | | | | |
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 7 S | 39 E | WM | 29 | NE SW | 40.00 |
| 7 S | 39 E | WM | 29 | SW SW | 30.09 |
| 7 S | 39 E | WM | 29 | SE SW | 40.00 |
| 7 S | 39 E | WM | 29 | NW SE | 40.00 |
| 7 S | 39 E | WM | 29 | SW SE | 40.00 |
| TOTAL ACRES | | | | | 190.09 |

This certificate describes that portion of the water right confirmed by Certificate 4282, State Record of Water Right Certificates, NOT modified by the provisions of an order of Administrative Law Judge Weisha Mize, entered September 18, 1996, and recorded in Special Order Volume 50, Page 592, approving partial cancellation and supercedes 4282.

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.

The right shall be subject to all other conditions and limitations contained in said decree. 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.

WITNESS the signature of the Water Resources Director, affixed April 1, 2007.


 Phillip C. Ward, Director