

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD AND MARTHA HILL
OLD WINGVILLE RD
BAKER CITY OR 97814

SSI LAND AND CATTLE COMPANY
PO BOX 628
BAKER CITY, OR 97814

confirms the right to use the waters of MILL CREEK (aka WAGGIE CREEK), SPRING CREEK, SALMON CREEK AND SPRINGS in the N½ SW¼, SECTION 3, TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M., tributary to POWDER RIVER, for IRRIGATION of 286.40 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 1867.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH OF ONE CUBIC FOOT PER SECOND PER ACRE; AND SHALL BE SUBJECT TO ALL OTHER CONDITIONS AND LIMITATIONS IN SAID DECREE, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

SOURCE	DITCH
SALMON CREEK	ADAMS 1 DITCH
MILL CREEK (aka WAGGIE CREEK)	ADAMS 2 AND 3 DITCHES
SPRING CREEK	ADAMS 4 DITCH
SALMON CREEK	ADAMS 5 DITCH
SPRINGS	

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

IRRIGATION						
SOURCE	TWP	RNG	MER	SEC	Q-Q	ACRES
MILL & SPRING CREEKS	8 S	39 E	WM	34	NE SW	39.10
MILL & SPRING CREEKS	8 S	39 E	WM	34	NW SW	40.00
SALMON CREEK	8 S	39 E	WM	34	SW SW	20.00
SALMON CREEK	8 S	39 E	WM	34	SE SW	29.10
SALMON & SPRING CREEKS & SPRINGS	9 S	39 E	WM	3	NE NE	39.10
SALMON & SPRING CREEKS & SPRINGS	9 S	39 E	WM	3	NW NE	40.00
SALMON & SPRING CREEKS & SPRINGS	9 S	39 E	WM	3	SW NE	40.00
SALMON & SPRING CREEKS & SPRINGS	9 S	39 E	WM	3	SE NE	39.10
TOTAL:						286.40

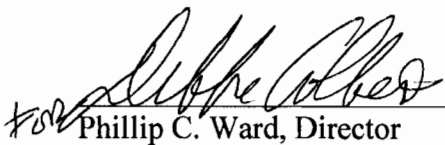
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

This certificate corrects scrivener errors in Certificate 74090 describing the sources of water and place of use in Section 3 of Township 9 South, Range 39 East, W.M.. Certificate 74090 erroneously located the water rights in the NW¼ rather than the NE¼.

Certificate 74090 described the remaining portion of the water right evidenced by Water Right Certificate 3972 that was not modified by the provisions of an order of the Water Resources Director entered September 29, 1997, canceling a portion of the right and approving Transfer Application 6636.

This certificate supersedes Certificate 74090. 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 March 5, 2007.


Phillip C. Ward, Director