

STATE OF OREGON

COUNTY OF BAKER

*CERTIFICATE OF WATER RIGHT*

THIS CERTIFICATE ISSUED TO

Schoeningh, Pete  
Rt 1, Box 115A  
Haines, OR 97833

confirms the right to use the waters of an Unnamed Stream, a tributary of Powder River for supplemental irrigation of 369.8 acres.

This right was perfected under permit 24360.

The date of priority is APRIL 6, 1939.

The use is limited to 8.68 cubic feet per second, or its equivalent in case of rotation.

The point of diversion is located as follows:

UnSt-02 McCullough Ditch      NW¼ SE¼, Section 13, T7S, R38E, WM; 2889.7' South  
and 2367.2' West from the Northeast corner of Section  
13, T7S, R38E, WM.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of one-fortieth of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.5 acre feet per acre, or its equivalent, for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Twp S	Rng E	Sec	Q <sub>40</sub>	Q <sub>160</sub>	Acres	Tx Lt
7	39	7	SW	SW	3.0	1600
7	39	7	SE	SW	31.0	1600
7	39	7	NW	SE	1.0	601/602
7	39	7	SW	SE	40.0	1600
7	39	7	SE	SE	4.0	1500/1600

Twp S	Rng E	Sec	Q <sub>40</sub>	Q <sub>160</sub>	Acres	Tx Lt
7	39	18	NE	NE	20.0	1600
7	39	18	NW	NE	40.0	1600
7	39	18	SW	NE	12.5	1600
7	39	18	SE	NE	9.5	1600
7	39	18	NE	NW	40.0	1600
7	39	18	NW	NW	38.0	1600
7	39	18	SW	NW	32.3	1600
7	39	18	SE	NW	39.8	1600
7	39	18	NE	SW	37.4	1600
7	39	18	NW	SW	21.3	1600

Location descriptions are based on the Willamette Meridian.

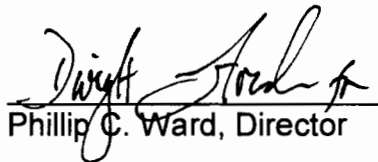
This certificate describes that portion of the water right confirmed by Certificate 28040, issued in the name of Ralph McCullough, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on MAY 17 2011, and recorded in Special Order Volume 84, page 100 approving a petition by the Powder Valley Water Control District under ORS 541.329.

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

The right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use described.

This certificate together with Certificate 83760 supercedes Certificate 28040.

WITNESS the signature of the Water Resources Director, affixed MAY 17 2011.

  
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered **83801**