

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 Two Unnamed Streams tributaries to Muddy Creek, a tributary of Powder River for supplemental irrigation of 71.5 acres and livestock.

This right was perfected under permit 28871.

The date of priority is AUGUST 23, 1962.

The use is limited to 1.78 cubic feet per second, being 0.76 cubic foot per second from South Unnamed Stream and 1.02 cubic feet per second from North Unnamed Stream, or its equivalent in case of rotation measured at the point of diversion from the stream.

The points of diversion are located as follows:

Unnamed Stream 1 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 18, T7S, R39E, WM; 1830' South and 120' East from the Northwest corner of Section 18, T7S, R39E, WM.

Unnamed Stream 2 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 18, T7S, R39E, WM; 340' South and 40' East from the Northwest corner of Section 18, T7S, R39E, 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, or its equivalent, for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre 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:

Tax Lot 1600

Twp S	Rng E	SEC	Q ₄₀	Q ₁₆₀	Acres
7	39	7	SW	SW	13.9
7	39	7	SE	SW	25.3
7	39	7	SW	SE	6.0
7	39	18	NW	NE	4.0
7	39	18	NE	NW	4.8
7	39	18	NW	NW	12.8
7	39	18	SW	NW	4.7

Location descriptions are based on the Willamette Meridian.

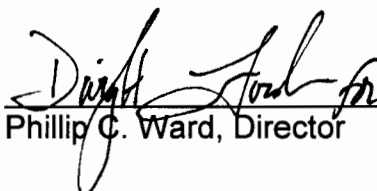
This certificate describes that portion of the water right confirmed by Certificate 35103, issued in the name of Peter W. Schoeningh, Jr., State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 17 2011, and recorded in Special 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 supercedes Certificate 35103.

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


Phillip C. Ward, Director