

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL A. WARNER; AND FRED WARNER
RT 2 BOX 135
BAKER CITY OR 97814

confirms the right to use the waters of WASTE WATER, FROM THE POWDER RIVER, for IRRIGATION of 118.6 ACRES.

This right was perfected under Permit S-11973. The date of priority is NOVEMBER 21, 1935. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.96 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

| Twp | Rng | Mer | Sec | Q-Q |
|-----|------|-----|-----|-------|
| 8 S | 40 E | WM | 17 | SW NW |
| 8 S | 40 E | WM | 17 | NW SW |
| 8 S | 40 E | WM | 18 | NE ¼ |
| 8 S | 40 E | WM | 18 | NE SE |
| 8 S | 40 E | WM | 18 | NW SE |

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, or its equivalent for each acre irrigated 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. 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.


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

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 8 S | 39 E | WM | 12 | SE NE | 40.0 |
| 8 S | 39 E | WM | 12 | NE SE | 38.6 |
| 8 S | 39 E | WM | 12 | SE SE | 40.0 |

This certificate describes that portion of the water right confirmed by Certificate 73522, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 21 2008, approving Transfer Application T-8446, and also supersedes remaining right Certificate 81780 to correct scrivener's errors in the descriptions of the locations of the points of appropriation and place of use.

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 OCT 21 2008.


Phillip C. Ward, Director