

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DRY GULCH DITCH COMPANY  
ROUTE 1, BOX 102A  
RICHLAND, OR 97870

confirms the right to use the waters of EAGLE CREEK (AKA EAGLE CREEK AND LITTLE EAGLE CREEK) tributary of POWDER RIVER for IRRIGATION of 637.20 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 dates of priority are 1891 for 63.50 ACRES, 1894 for 571.70 ACRES and 1905 for 2.00 ACRES.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 15.93 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	Q - Q	MEASURED DISTANCES
8 S	45 E	W.M.	20	NE NW	#21 Dry Gulch Ditch: 1550 feet East and 75 feet South from NW Corner of Section 20

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

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

PRIORITY DATE	TWP	RNG	MER	SEC	Q - Q	ACRES	TAX LOT
1891	9 S	45 E	W.M.	20	NE NE	1.90	400
1891	9 S	45 E	W.M.	21	NE NE	5.10	100
1891	9 S	45 E	W.M.	21	SW NE	8.20	200
1891	9 S	45 E	W.M.	21	SE NE	18.60	800
1891	9 S	45 E	W.M.	21	NW NW	7.10	400

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 137-004-0080 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.

PRIORITY DATE	TWP	RNG	MER	SEC	Q - Q	ACRES	TAX LOT
1891	9 S	45 E	W.M.	21	SE NW	13.00	700
1891	9 S	45 E	W.M.	22	NW NW	9.60	800
						63.50	
1894	9 S	45 E	W.M.	9	NE NE	1.30	1700
1894	9 S	45 E	W.M.	9	NW NE	7.00	1700
1894	9 S	45 E	W.M.	9	NE SE	2.00	1500
1894	9 S	45 E	W.M.	15	SW NW	8.10	2200
1894	9 S	45 E	W.M.	15	NW SW	17.80	2200
1894	9 S	45 E	W.M.	15	SW SW	25.20	1300
1894	9 S	45 E	W.M.	16	NE SE	8.60	100
1894	9 S	45 E	W.M.	16	SW SE	2.00	1000
1894	9 S	45 E	W.M.	16	SW SE	2.00	200
1894	9 S	45 E	W.M.	16	SW SE	2.00	900
1894	9 S	45 E	W.M.	16	SE SE	36.30	100
1894	9 S	45 E	W.M.	17	NE NE	0.80	2700
1894	9 S	45 E	W.M.	17	NW NE	0.10	2701
1894	9 S	45 E	W.M.	17	SW NE	2.10	2701
1894	9 S	45 E	W.M.	17	SE NE	13.80	2700
1894	9 S	45 E	W.M.	17	SW NW	3.40	2800
1894	9 S	45 E	W.M.	17	SE NW	18.00	2800
1894	9 S	45 E	W.M.	17	NE SW	29.20	2800
1894	9 S	45 E	W.M.	17	NW SW	9.90	2800
1894	9 S	45 E	W.M.	17	SW SW	18.00	3000
1894	9 S	45 E	W.M.	17	SE SW	16.90	3000
1894	9 S	45 E	W.M.	17	NE SE	2.00	2700
1894	9 S	45 E	W.M.	17	NW SE	1.70	2600
1894	9 S	45 E	W.M.	17	SW SE	23.40	2600
1894	9 S	45 E	W.M.	17	SE SE	19.90	2500
1894	9 S	45 E	W.M.	18	NW NE	19.90	3300
1894	9 S	45 E	W.M.	18	SW NE	9.10	3300
1894	9 S	45 E	W.M.	18	NW NW	4.90	3400
1894	9 S	45 E	W.M.	18	SW NW	5.50	3400
1894	9 S	45 E	W.M.	18	SE SE	15.20	3100
1894	9 S	45 E	W.M.	19	NW NE	0.70	3800
1894	9 S	45 E	W.M.	19	SW NE	13.50	3800
1894	9 S	45 E	W.M.	19	SE NE	10.80	3800
1894	9 S	45 E	W.M.	20	NE NE	31.50	100
1894	9 S	45 E	W.M.	20	NE NE	2.30	500
1894	9 S	45 E	W.M.	20	NW NE	37.10	4200
1894	9 S	45 E	W.M.	20	SW NE	8.90	4200
1894	9 S	45 E	W.M.	20	SE NE	8.60	4200
1894	9 S	45 E	W.M.	20	NE NW	12.60	4200
1894	9 S	45 E	W.M.	20	NE NW	8.10	300
1894	9 S	45 E	W.M.	20	NW NW	12.10	300
1894	9 S	45 E	W.M.	20	NE SW	19.60	4200
1894	9 S	45 E	W.M.	20	NW SE	7.50	4200
1894	9 S	45 E	W.M.	20	SW SE	19.20	500

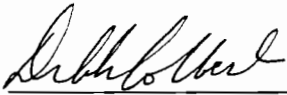
PRIORITY DATE	TWP	RNG	MER	SEC	Q - Q	ACRES	TAX LOT
1894	9 S	45 E	W.M.	20	SE SE	10.70	500
1894	9 S	45 E	W.M.	21	NE NW	8.10	400
1894	9 S	45 E	W.M.	21	NE NW	20.60	200
1894	9 S	45 E	W.M.	21	NW NW	2.20	500
1894	9 S	45 E	W.M.	21	NW NW	11.50	400
						571.70	
1905	9 S	45 E	W.M.	22	NW NW	2.00	800

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

This certificate corrects scrivener errors in the certificate recorded at page 75363, State Record of Water Right Certificates. Certificate 75363 incorrectly labeled superseding certificates.

Certificate 75363 confirmed an order of the director entered on February 16, 1999, approving a petition by Dry Gulch Ditch Company under ORS 541.329 for mapping water rights within a district. This corrected certificate supersedes certificates 4642 and 52926; together with Certificate 75355, supersedes certificates 4734 and 11577; together with certificates 75355 and 75850 supersedes Certificate 4613; together with certificates 75355 and 75853 supersedes Certificate 49437; together with certificates 75355 and 75852 supersedes Certificate 49640; and together with certificates 75355 and 75851 supersedes Certificate 49633.

WITNESS the signature of the Water Resources Director, affixed June 18, 2009.



Phillip C. Ward, Director *ph*