

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LINDSAY BROS.
ROUTE 2 BOX 182
BAKER CITY, OR 97814

DONALD AND DORTHY HUBBARD
HCR 61 BOX 53
ENTERPRISE, OR 97828

confirms the right to use the waters of the POWDER RIVER, a tributary to the SNAKE RIVER for IRRIGATION of 156.85 ACRES.

This right was perfected under Permit 296. The date of priority is APRIL 19, 1910. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.96 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
8 S	39 E	WM	2	SW SE	KESTER-SWINYER-MYERS DITCH: NORTH 83 DEGREES 16 MINUTES WEST, 23.8 CHAINS FROM SE CORNER OF SECTION 2.

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-EIGHTIETH of one cubic foot per second, 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:

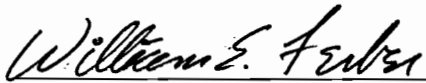
IRRIGATION					
TWP	RNG	MER	SEC	Q-Q	ACRES
7 S	40 E	WM	30	SW NW	38.7
7 S	40 E	WM	30	SW SW	39.0
7 S	40 E	WM	31	NE NW	40.0
7 S	40 E	WM	31	NW NW	39.15
TOTAL:					156.9

This certificate is issued to correct a scrivener's error in the description of the location of lands described on Certificate 73409. This Certificate supersedes Certificate 73409, to describe the portion of water right Certificate 1633, NOT modified by the provisions of an order of the Water Resources Director entered February 25, 1997, and recorded in Special Order Volume 51, page 148 approving a petition by the Baker Valley Irrigation District under ORS 541.329.

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.

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.

WITNESS the signature of the Water Resources Director, affixed 17th February, 2010.



Pc Phillip C. Ward, Director