

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WARD AGRICULTURAL PROPERTIES
1500 H ST.
BAKER CITY, OR 97814

confirms the right to use the waters of the POWDER RIVER, a tributary to the SNAKE RIVER for IRRIGATION of 120.0 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 date of priority is 1893 FOR 15.0 ACRES, 1871 FOR 39.0 ACRES, 1869 FOR 28.0 ACRES, AND 1872 FOR 38.0 ACRES.. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.0 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
9 S	40 E	WM	21	NW SW	SETTLERS SLOUGH DITCH - 2160 FEET NORTH AND 30 FEET EAST FROM SW CORNER OF SECTION 21.

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, 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:

PRIORITY	TWP	RNG	MER	SEC	Q-Q	ACRES
1869	9 S	39 E	WM	1	NE SE	5.0
1869	9 S	39 E	WM	1	SE SE	23.0
1871	9 S	39 E	WM	1	NE SE	22.0
1871	9 S	39 E	WM	1	SE SE	17.0
1872	9 S	39 E	WM	1	NE SE	13.0
1872	9 S	40 E	WM	6	NW SW	25.0
1893	9 S	40 E	WM	6	NW SW	15.0
TOTAL:						120.0

This certificate is issued to correct a scrivener's error in the description of the location of lands described on Certificate 73577. This Certificate supersedes Certificate 73577, to describe the portion of water right Certificate 4353, 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 February 17, 2010.

William E. Feibes
for Phillip C. Ward, Director