

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEO A WEITZ INC  
PO BOX 369  
CALDWELL, ID 83606

BROWNE, JAY W & PEGGY S  
50809 ELLIS RD.  
NORTH POWDER, OR 97867

confirms the right to use the waters of WOLF CREEK, tributary to POWDER RIVER for IRRIGATION of 174.5 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 1894.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	Q-Q	MEASURED DISTANCES
6 S	38 E	WM	11	SE SE	MAHARRY BLEVINS DITCH: 657 FEET NORTH AND 952 FEET WEST FROM THE SE CORNER OF SECTION 11

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. 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:

TWP	RNG	MER	SEC	Q-Q	ACRES
6 S	38 E	WM	13	SW SE	39.0
6 S	38 E	WM	13	SE SE	36.0
6 S	38 E	WM	24	NW NE	40.0
6 S	39 E	WM	18	SW SW	27.5
6 S	39 E	WM	19	NW NW	32.0
TOTAL:					174.5

Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass

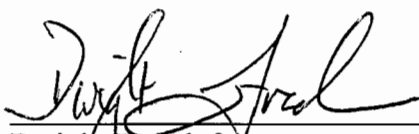
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review 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.

device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION and CANCELLATION of water right approved by an order of the Water Resources Director entered May 18, 2009, and recorded at Special Order Volume 77, pages 788 to 796, approving Transfer Application T-7503. This certificate, together with Certificate 86879, supersedes Certificate 4171, State Record of Water Right Certificates.

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 and is subject to all other conditions and limitations contained in said decree.

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

  
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Dwight French for  
PHILIP C. WARD, DIRECTOR