

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RUSSELL AND PATRICIA BINGAMAN
P.O. BOX 115
IMBLER, OREGON 97841

confirms the right to use the waters of the GRANDE RONDE RIVER, a tributary of the SNAKE RIVER, for IRRIGATION OF 42.8 ACRES.

This right was perfected under Permit 27874. The date of priority is FEBRUARY 28, 1962. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.90 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 33, T 1 S, R 39 E, W.M.; 1160 FEET SOUTH AND 750 FEET WEST FROM THE E 1/4 CORNER OF SECTION 33.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. PROVIDED FURTHER THAT THE RIGHT TO THE USE OF WATER IS LIMITED TO THE PERIOD WHEN THE FLOW OF THE LOWER GRANDE RONDE RIVER IS MORE THAN 300 CFS AT U.S.G.S. GAGE 3325 AND MORE THAN 420 CFS AT THE OREGON-WASHINGTON BORDER.

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:

NW 1/4 NE 1/4	5.2 ACRES
SW 1/4 NE 1/4	5.0 ACRES
NE 1/4 NW 1/4	16.6 ACRES
SE 1/4 NW 1/4	16.0 ACRES

SECTION 3
TOWNSHIP 2 SOUTH, RANGE 39 EAST, W.M.

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the original point of diversion.

When required by the Department, the water user shall install and maintain a headgate, 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 headgate and 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 PLACE OF USE approved by an order of the Water Resources Director entered DECEMBER 28, 1990, and supersedes Certificate 34734, State Record of Water Right Certificates.

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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 29 ,
1996.

 Steven P. Applegate

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72170.