

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK D. BUTCHART
3030 SW MOODY AVENUE
PORTLAND, OREGON 97201

confirms the right to use the waters of CONNER CREEK, a tributary of SNAKE RIVER, for MINING.

This right was perfected under Permit 51046. The date of priority is JANUARY 2, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.0 CUBIC FOOT 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:

NE 1/4 SW 1/4, SECTION 34, T 11 S, R 45 E, W.M.; 2122 FEET NORTH AND 233 FEET WEST FROM THE S 1/4 CORNER OF SECTION 34.

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:

JAMES P. FAULL'S PLACER MINE M.S. 124, BEING WITHIN THE:

NW 1/4 SE 1/4
SW 1/4 SE 1/4
NE 1/4 SW 1/4
SE 1/4 SW 1/4

REED PLACER'S PLACER MINE, BEING WITHIN:

LOT 13
BOTH IN SECTION 34
TOWNSHIP 11 SOUTH, RANGE 45 EAST, W.M.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

WITNESS the signature of the Water Resources Director, affixed MARCH 13, 1996.

15 Steven P. Applegate
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72186.

BASIN 9
70159.JM

VOLUME 3A SNAKE RIVER MISC.

DISTRICT 8