

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. R. DODSON
PORTLAND, OR

confirms the right to use the waters of NORTH FORK BENNETT CREEK (AKA NORTH FORK GEISER CREEK), SOUTH FORK BENNETT CREEK (AKA SOUTH FORK GEISER CREEK), and BEAR GULCH, tributaries of the NORTH FORK JOHN DAY RIVER, for PLACER MINING.

The right to use the waters of NORTH FORK BENNETT CREEK and SOUTH FORK BENNETT CREEK was perfected under PERMIT 3263, and the right to use the water of BEAR GULCH was perfected under PERMIT 1653. The date of priority for the use of the waters of NORTH FORK BENNETT CREEK and SOUTH FORK BENNETT CREEK is FEBRUARY 1, 1917, and the date of priority for the use of the water of BEAR GULCH is JULY 5, 1913. The amount of water to which such right is entitled for the purposes aforesaid is limited to an amount actually beneficially used for said purpose and shall not exceed:

6.50 cubic feet per second from NORTH FORK BENNETT CREEK;
6.50 cubic feet per second from SOUTH FORK BENNETT CREEK; and
6.00 cubic feet per second from BEAR GULCH.

The amount of water is further limited and shall not exceed a total of 14.0 cubic feet per second at any one time from all sources plus a reasonable allowance for seepage losses.

The points of diversion are located as follows:

NORTH FORK BENNETT CREEK - NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, Township 10 South,
Range 35.5 East, W.M.

SOUTH FORK BENNETT CREEK - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16, Township 10 South,
Range 35.5 East, W.M.

BEAR GULCH (UPPER DIVERSION) - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 10 South,
Range 35 East, W.M.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

2.1.1917

NORTH FORK & SOUTH FORK

BENNETT CREEK

N $\frac{1}{2}$ SW $\frac{1}{4}$ nws, nesw
N $\frac{1}{2}$ (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
SE $\frac{1}{4}$ (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
W $\frac{1}{2}$ (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
W $\frac{1}{2}$ SE $\frac{1}{4}$ nws, nesw
(SE $\frac{1}{4}$ SE $\frac{1}{4}$)

7.5.1913

BEAR GULCH

SECTION 12

S $\frac{1}{2}$ (NW $\frac{1}{4}$ NE $\frac{1}{4}$) S $\frac{1}{2}$ (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
(SW $\frac{1}{4}$ NE $\frac{1}{4}$)
S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ nesw, nesw S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$
(NW $\frac{1}{4}$ SE $\frac{1}{4}$)

SECTION 14

TOWNSHIP 10 SOUTH, RANGE 35.5 EAST, W.M.

S $\frac{1}{2}$ SW $\frac{1}{4}$ nesw, nesw

SECTION 7


TOWNSHIP 10 SOUTH, RANGE 36 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 10082, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director on PC 98-4, entered on November 29, 2001, and recorded at Special Order Volume 55, Page 1189, canceling a portion of said water right.

The issuance of this superseding certificate does not confirm the status of the water right in regards 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 November 29, 2001.


Paul R. Cleary, Director