

This is a final 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONNY & ELIZABETH MURRELL
PO BOX 141
BAKER CITY, OREGON 97814

confirms the right to use the waters of CLARKS CREEK, a tributary of BURNT RIVER, for PLACER MINING.

This right was perfected under Permit 46510. The date of priority is AUGUST 17, 1981. This right is limited to 0.33 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:

SW 1/4 SW 1/4, SECTION 26, T 12 S, R 41 E, W.M.; 750 FEET NORTH AND 550 FEET EAST FROM SW CORNER, SECTION 26.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 SW 1/4
SECTION 26

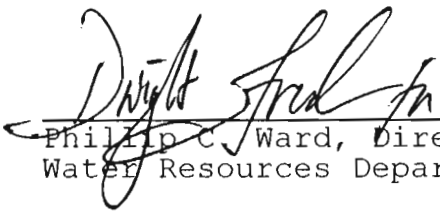
NE 1/4 NE 1/4
NW 1/4 NE 1/4
SECTION 34

NW 1/4 NW 1/4
SECTION 35
TOWNSHIP 12 SOUTH, RANGE 41 EAST, W.M.

The water user shall maintain and use adequate treatment facilities to remove the sediment before returning the water to the stream.

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. 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.

WITNESS the signature of the Water Resources Director, affixed **OCT 06 2006**



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82534.

S-62352.JWG