

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

POCAHONTAS MINING & IRRIGATION CO.
BAKER CITY, OR 97814

confirms the right to use the waters of MARBLE CREEK and MILL CREEK, a tributary of SALMON CREEK, tributary of POWDER RIVER, for SUPPLEMENTAL IRRIGATION of 1474.25 ACRES.

This right was perfected under Permit 4385. The date of priority is AUGUST 9, 1919. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 18.43 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	Q-Q	GLot	SURVEY COORDINATES
9 S	39 E	WM	6			

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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated. 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:

SUPPLEMENTAL IRRIGATION						
TWP	RNG	MER	SEC	Q-Q	ACRES	NAME
8 S	39 E	W.M.	32	SWSE	15.00	ELLE M. OSBORN
8 S	39 E	W.M.	32	SESE	15.00	
8 S	39 E	W.M.	32	NESW	40.00	HUGH DOHERTY
8 S	39 E	W.M.	32	NWSW	40.00	
8 S	39 E	W.M.	32	SWSW	40.00	
8 S	39 E	W.M.	32	SESW	40.00	
8 S	39 E	W.M.	32	SWSE	25.00	JULIA A. BROWN
8 S	39 E	W.M.	32	SESE	25.00	
8 S	39 E	W.M.	32	NESE	40.00	DAVID LEE
8 S	39 E	W.M.	32	NWSE	40.00	
8 S	39 E	W.M.	32	SWNE	40.00	J.M. CONNOR
8 S	39 E	W.M.	32	SENE	40.00	

SUPPLEMENTAL IRRIGATION						
TWP	RNG	MER	SEC	Q-Q	ACRES	NAME
8 S	39 E	W.M.	33	SWNW	40.00	ESTATE OF JAMES AKERS, DECEASED
8 S	39 E	W.M.	33	SEnw	40.00	
8 S	39 E	W.M.	33	NESW	40.00	
8 S	39 E	W.M.	33	NWSW	40.00	
8 S	39 E	W.M.	33	SWSW	10.00	DORCAS BROWN
8 S	39 E	W.M.	33	SESW	5.00	
8 S	39 E	W.M.	33	SWSW	30.00	W.B. & L.M. LANDRETH
8 S	39 E	W.M.	33	SESW	30.00	
9 S	39 E	W.M.	4	NENE	40.00	HOMAN E. & MARY E. JORDAN
9 S	39 E	W.M.	4	NWNE	40.00	
9 S	39 E	W.M.	4	SWNE	20.00	BERT & OLGA MELVIN
9 S	39 E	W.M.	4	SENE	17.00	
9 S	39 E	W.M.	4	SWNE	20.00	HARLOW J. & GRACE M. EVANS
9 S	39 E	W.M.	4	SENE	16.00	
9 S	39 E	W.M.	4	NENW	30.00	JULIA A. BROWN
9 S	39 E	W.M.	4	NWNW	30.00	
9 S	39 E	W.M.	4	NENW	5.00	DORCAS BROWN
9 S	39 E	W.M.	4	NWNW	5.00	
9 S	39 E	W.M.	5	SENE	19.50	W.A. & PANSY BUCHANAN
9 S	39 E	W.M.	5	NESW	26.00	MARVIN S. & GUSSIE BAISLEY
9 S	39 E	W.M.	5	NESE	38.00	
9 S	39 E	W.M.	5	NWSE	32.00	
9 S	39 E	W.M.	5	NENE	35.00	J.W. STUCHELL
9 S	39 E	W.M.	5	NWNE	40.00	
9 S	39 E	W.M.	5	NENW	40.00	
9 S	39 E	W.M.	5	SWNE	30.00	JAMES A. KELLEY
9 S	39 E	W.M.	5	SEnw	34.00	
9 S	39 E	W.M.	5	SENE	20.00	C.F. & IVA VALENTINE
9 S	39 E	W.M.	5	SWNW	25.00	J.H.B. & GRACE G. HARRINGTON
9 S	39 E	W.M.	5	SWNW	15.00	P. CRABILL
9 S	39 E	W.M.	5	NWSW	40.00	
9 S	39 E	W.M.	6	NESE	24.55	
9 S	39 E	W.M.	6	SENE	40.00	J.H.B. & GRACE G. HARRINGTON
9 S	39 E	W.M.	6	NESE	15.00	
9 S	39 E	W.M.	6	SWNE	33.00	C.C. & EDNA JACKSON
9 S	39 E	W.M.	6	SEnw	22.00	
9 S	39 E	W.M.	6	NESW	23.00	
9 S	39 E	W.M.	6	SESW	2.50	

SUPPLEMENTAL IRRIGATION						
TWP	RNG	MER	SEC	Q-Q	ACRES	NAME
9 S	39 E	W.M.	6	NESW	11.00	HENRY J. & MARGARET MAY KINNISON
9 S	39 E	W.M.	6	NWSE	40.00	
9 S	39 E	W.M.	6	SWSE	10.70	
TOTAL:					1474.25	

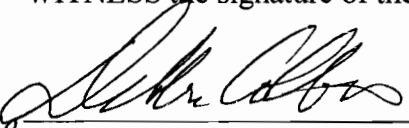
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate describes that portion of the water right confirmed by Certificate 10013, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 05 2007, and recorded in Special Order Volume 71, Page 276. This certificate supersedes Certificate 10013.

This certificate also corrects a scrivener's error in certificate 10013. The error in Certificate 10013 incorrectly summarized the total number of acres of water rights in the NENW of Section 4, Township 9 South, Range 39 East, W.M.

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.

WITNESS the signature of the Water Resources Director, affixed MAR 05 2007.



 Phillip C. Ward, Director