

STATE OF OREGON
COUNTIES OF BAKER AND UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PB Farms Inc	Lewis, Douglas & Mary	Agri Star, Inc
Lewis, William & Patricia	50514 Bidwell Rd	P O BOX 340
P.O. Box 69	North Powder, OR 97867	North Powder, OR 97867
North Powder, OR 97867		

confirms the right to use the waters of North Powder River, a tributary of Powder River for livestock and irrigation of 567.4 acres.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Union County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 3, at Page 252.

The dates of priority are:

Date	Acres	Date	Acres	Date	Acres	Date	Acres	Date	Acres
1870	136.1	1884	37.0	1890	241.7	1893	136.8	1905	15.8

The use is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of flow of 14.19 cubic feet per second from March 1st to July 1st and 7.09 cubic feet per second from July 1st to October 1st of each year.

The total quantity diverted during each irrigation season not to exceed 1418.50 acre feet.

The points of diversion are located as follows:

N-15 Jacobson Ditch	SE¼ SW¼, Section 28, T6S, R39E, WM; 2100' East and 150' North from the Southwest corner of Section 28, T6S, R39E, WM.
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This is a final order in other than 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 183.482(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.

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N-16 Harlan Sanders Ditch SW¼ SE¼, Section 28, T6S, R39E, WM; 2280' West and 850' North from the Southeast corner of Section 28, T6S, R39E, WM.

N-17 Lun Ditch SE¼ NE¼, Section 28, T6S, R39E, WM; 2771' North and 397' West from the Southeast corner of Section 28, T6S, R39E, WM.

N-17A Agri-Star Pump 1 SW¼ SE¼, Section 22, T6S, R39E, WM; 969' North and 2055' West from the Southeast corner of Section 22, T6S, R39E, WM.

N-17B Agri-Star Pump 2 NW¼ SE¼, Section 22, T6S, R39E, WM; 1371' North and 1607' West from the Southeast corner of Section 22, T6S, R39E, WM.

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

Agri Star & PB Farms

Twp S	Rng E	Sec	Q40	Q160	Acres	Date	POD	Use	Tx Lt	Cert
6	39	22	SE	NE	5.3	1905	N-17 & 17B	IR	3800	64971
6	39	22	NE	SE	9.0	1890	N-17 & 17B	IL	1300	52918
6	39	22	NE	SE	22.5	1890	N-17B	IL	900	52918
6	39	22	NE	SE	3.8	1905	N-17 & 17B	IR	3800	64971
6	39	22	NW	SE	0.5	1890	N-17B	IL	1300	52918
6	39	22	NW	SE	8.7	1890	N-17 & 17B	IL	1300	52918
6	39	22	SW	SE	0.4	1890	N-17 & 17B	IL	100	52918
6	39	22	SW	SE	3.5	1890	N-17A	IL	100	52918
6	39	23	NE	SW	8.6	1893	N-17B	IL	900	1485
6	39	23	NE	SW	31.4	1890	N-17B	IL	900	52918
6	39	23	NW	SW	34.3	1890	N-17B	IL	900	52918
6	39	23	NW	SW	5.4	1884	N-17B	IR	900	81321
6	39	23	SW	SW	8.6	1893	N-17B	IL	900	1485
6	39	23	SW	SW	24.4	1870	N-17B	IR	900	79534
6	39	23	SW	SW	7.0	1884	N-17B	IR	900	81321
6	39	23	SE	SW	31.4	1870	N-17B	IL	900	79534
6	39	23	SE	SW	8.6	1893	N-17B	IL	900	1485
6	39	26	SW	NE	39.1	1893	N-15	IL	1900	1485
6	39	26	SW	NW	25.8	1893	N-15	IL	1900	1485
6	39	26	SE	NW	39.1	1893	N-15	IL	1900	1485

Agri Star & PB Farms

Twp S	Rng E	Sec	Q40	Q160	Acres	Date	POD	Use	Tx Lt	Cert
6	39	26	NE	SE	31.4	1890	N-15	IL	2000	1485
6	39	26	NW	SE	37.2	1890	N-16	IL	2000	52918
6	39	26	SW	SE	18.9	1890	N-15	IL	2000	1485
6	39	26	SW	SE	12.5	1890	N-16	IL	2000	52918
6	39	26	SW	SE	7.0	1893	N-15	IL	2000	1485
6	39	26	SE	SE	31.4	1890	N-15	IL	2000	1485
6	39	27	NE	NW	17.7	1870	N-17	IR	3800	81321
6	39	27	NE	NW	1.1	1884	N-16	IR	200	81321
6	39	27	NW	NW	8.1	1870	N-17	IR	3800	81321
6	39	27	NW	NW	4.7	1884	N-17	IR	3800	81321
6	39	27	NW	NW	6.7	1905	N-17	IR	3800	64971
6	39	27	SW	NW	2.5	1870	N-16	IR	3800	79534
6	39	27	SW	NW	3.9	1870	N-16	IR	3800	81321
6	39	27	SW	NW	26.3	1870	N-17	IR	3800	81321
6	39	27	SW	NW	0.9	1884	N-16	IR	200	81321
6	39	27	SW	NW	2.7	1884	N-17	IR	200	81321
6	39	27	SE	NW	0.9	1870	N-17	IR	3800	81321
6	39	27	SE	NW	19.5	1870	N-16	IR	3800	81321
6	39	27	SE	NW	12.9	1884	N-16	IR	200	81321
6	39	28	SE	NE	1.4	1870	N-17	IR	3800	81321
6	39	28	SE	NE	2.3	1884	N-17	IR	300	81321

Location descriptions are based on the Willamette Meridian

This certificate confirms an order of the Water Resource Director entered on, **MAY 17 2011**, and recorded in Special Order Volume 84, Page 160, approving a petition by Powder Valley Water Control District under ORS 541.329 for mapping water rights within a district.

This certificate supercedes Certificate 52918; and together with Certificate 83785 supercede Certificate 1485, with Certificates 83737 and 83807 supercede Certificate 64971, with Certificate 83814 supercedes Certificate 79534 and with Certificate 83814 supercedes Certificate 81321 and, all modified by Transfer 7504, recorded at Special Order Volume 50, Pages 771 through 773 and confirmed by Special Order Volume 71, Pages 407 through 410.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

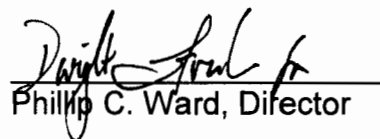
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The right to the use of the water for the above purposes is restricted to the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

Order of Certification, Special Order Volume 71, Pages 407 through 409, for Transfer 7504, requires the following conditions for Certificates 52918 and 1485; and Certificate 52516, listed here as 79534 and 81321:

- ▶ The quantity of water diverted at the new points of diversion, together with that diverted at the old diversions, shall not exceed the quantity of water lawfully available at the original points of diversion.
- ▶ The water user shall maintain headgates, inline flow meters, or other suitable devices for measuring and recording the quantity of water diverted.
- ▶ The water user shall operate and maintain the headgates and measuring devices, as needed. The water user shall operate and maintain the headgates report total flow figures when requested by the Watermaster. The Watermaster may operate the headgates and monitor accuracy of the measuring devices, as needed.
- ▶ Water shall be acquired from the same surface water source as the original points of diversion.

WITNESS the signature of the Water Resources Director, affixed **MAY 17 2011** .


Phillip C. Ward, Director