

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO:

POWDER VALLEY WATER CONTROL DISTRICT  
P.O. BOX 189  
NORTH POWDER, OR 97867

confirms the right to use the waters of Anthony Creek, a tributary of North Powder River, for irrigation of 204.7 acres and supplemental irrigation of 375.5 acres.

This right was confirmed by decree of the Circuit Court of the State of Oregon 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 date of priority is 1898.

The use is limited to 7.47 cubic feet per second (cfs) from March 1st to July 1<sup>st</sup>, and to 7.25 cubic feet per second from July 1st to October 1st of each year.

The total quantity diverted during each irrigation season not to exceed 1,450.5 acre feet.

The points of diversion are located as follows:

TWP	RNG	MER	SEC	Q40	Q160	POD#	MEASURED DISTAMCES
6 S	38 E	WM	13	SE	NW	A-18	CARNES DITCH (NORTH FORK ANTHONY CR.): 4365 FEET WEST AND 1795 FEET SOUTH FROM NE CORNER OF SECTION 13
6 S	38 E	WM	13	SE	NW	A-18A	CARNES DITCH (SOUTH FORK ANTHONY CR.): 4500 FEET WEST AND 2461 FEET SOUTH FROM NE CORNER OF SECTION 13
6 S	38 E	WM	18	NE	NW	A-19	COUGHANOUR DITCH: 2400 FEET EAST AND 1300 FEET SOUTH FROM NW CORNER OF SECTION 18

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 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.

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

Haerling, Robert & Buerkel, Don

TWP S	RNG E	SEC	Q40	Q160	ACRES	TAX LOT	USE
5	39	29	SW	NE	31.4	2405	IR
5	39	29	SE	NE	5.0	2405	IR
5	39	29	SE	NW	20.3	2405	IR
5	39	29	NE	SW	40.0	2405	IR
5	39	29	NW	SW	22.3	2400	IR
5	39	29	SW	SW	35.6	3600	IS
5	39	29	SE	SW	38.6	3600	IS
5	39	29	NE	SE	9.0	2405	IR
5	39	29	NW	SE	40.0	2405	IR
5	39	29	SW	SE	38.6	3600	IS
5	39	29	SE	SE	30.2	3600	IS
5	39	30	NE	SE	21.5	2400	IR
5	39	30	NW	SE	15.2	2400	IR
5	39	30	SW	SE	2.1	3600	IS
5	39	30	SE	SE	23.3	3600	IS
5	39	32	NE	NE	39.8	3600	IS
5	39	32	NW	NE	40.0	3600	IS
5	39	32	SW	NE	33.6	3600	IS
5	39	32	NE	NW	40.0	3600	IS
5	39	32	NW	NW	13.7	3600	IS
5	39	32	SE	NW	40.0	3600	IS

IR means Irrigation  
 IS means Supplemental Irrigation

Location descriptions are based on the Willamette Meridian.

The diversion works shall include a headgate, an in-line flow meter, a weir, or other suitable device for measuring the water, and the type and plans of the headgate and measuring device must be approved by the watermaster before the beginning of construction work and the weir or measuring device be installed under the general supervision of the watermaster.

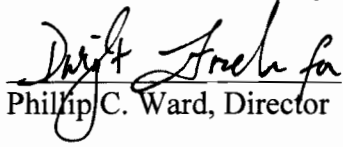
The quantity of water diverted at the new point of diversion together with the quantity of water diverted at the original point of diversion, shall not exceed the quantity of water available at the original point of diversion.

This certificate confirms that portion to the water rights described by Certificate 83317, State Record of Water Right Certificates, modified by the provisions of an order of the Water Resources 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 together with Certificate 83788 supersedes Certificate 83317.

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

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

  
Phillip C. Ward, Director