

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Marks, Louis & Marie
47740 Anthony Lakes Hwy
North Powder, OR 97814

Bingham, Dale & Leslie
49775 Ellis Rd.
North Powder, OR 97867

Bingham, Jason & Stacey
14541 Talley-Dobbins Ln.
North Powder, OR 97867

confirms the right to use the waters of North Powder River, a tributary of Powder River for irrigation of 519.0 acres, livestock and domestic.

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

The dates of priority are:

Date	Acres	Date	Acres	Date	Acres	Date	Acres
1877	69.0	1888	283.8	1903	152.0	1906	14.2

The use is limited to 12.98 cubic feet per second from March 1st to July 1st and 6.49 cubic feet per second from July 1st to October 1st of each year. The total quantity diverted during each irrigation season not to exceed 1297.5 acre feet.

The points of diversion are located as follows:

N-03 Bulger Ditch SW¼ SE¼, Section 18, T7S, R38E, WM; 730' North and 1370' West from the Southeast corner of Section 18, T7S, R38E, WM.

N-06 Powers Co. Ditch SW¼ SE¼, Section 32, T6S, R38E, WM; 1171' North and 1729' West from the Southeast corner of Section 32, T6S, R38E, WM.

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

Twp S	Rng E	Sec	Q ₄₀	Q ₁₆₀	Acres	POD	Tx Lt
6	38	36	SW	SE	15.5	N-06	300
6	38	36	SE	SE	12.5	N-06	300
7	38	1	NE	NE	40.0	N-06	100
7	38	1	NW	NE	40.0	N-06	100
7	38	1	SW	NE	40.0	N-06	100
7	38	1	SE	NE	40.0	N-06	100

Twp S	Rng E	Sec	Q ₄₀	Q ₁₆₀	Acres	POD	Tx Lt
7	38	1	SE	NW	30.0	N-06	100
7	38	1	NW	SE	40.0	N-06	100
7	38	1	NE	SE	40.0	N-06	100
7	38	11	NE	NE	26.0	N-03	2700
7	38	11	NW	NE	1.5	N-03	2600
7	38	11	SE	NE	36.5	N-03	2700
7	38	12	NE	NW	40.0	N-03	2700
7	38	12	NW	NW	40.0	N-03	2700
7	38	12	SW	NW	39.0	N-03	2700
7	38	12	SE	NW	38.0	N-03	2701

Location descriptions are based on the Willamette Meridian.

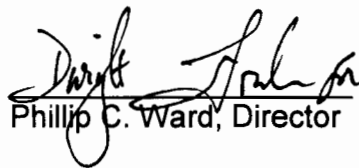
This certificate describes that portion of the water right confirmed by Certificate 1455, issued in the names of C. E. and A. B. Davis, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on MAY 17 2011, and recorded in Special Order Volume 84, Page 100 approving a petition by the Powder Valley Water Control District under ORS 541.329.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610 pertaining to forfeiture or abandonment.

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.

This certificate together with Certificate 83735 supercedes Certificate 1455.

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


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83778