

STATE OF OREGON

COUNTIES OF BAKER AND UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ARRITOLA, DANIEL R & MARY E SMITH, ROGER W & LINDA M WILSON FAMILY RANCHES, LLC
 14693 TALLEY-DOBBINS LN 14778 TALLEY-DOBBINS LN PO BOX 209
 HAINES, OR 97833 (3100) HAINES, OR 97833 (3200) NORTH POWDER, OR 97867
 (200,5900)

BINGHAM, DALE B & LESLIE WALLENDER, FREDRICK T PETERS, JAMES F
 49775 ELLIS ROAD 65302 AIRPORT LN 7643 DAVIS PEAK
 NORTH POWDER, OR 97867 LAGRANDE, OR 97850 (700) LITTLETON, CO 80127 (601)
 (3000)

KINDREE, JOHN R & SUZANNE DYKE, JANET R ODF& W
 48994 ANTHONY LAKES HWY 49127 FOOTHILL RD PO BOX 59
 NORTH POWDER, OR 97867 (1000) HAINES, OR 97833 (600) PORTLAND, OR 97207 (2002)

POWDER VALLEY WCD
 P O BOX 189
 NORTH POWDER, OR 97867 (2001)

confirms the right to use the waters of North Powder River, a tributary of Powder River for irrigation of 883.0 acres, livestock and domestic.

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 use of water is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of flow from March 1 to July 1 as described below by tract and priority date:

TRACT	DATE	ACRES	RATE (CFS)	DATE	ACRES	RATE (CFS)	DATE	ACRES	RATE (CFS)
1	1872	56.5	1.41						
2	1873	112.0	2.03	1895	184.5	3.35	1903	95.5	1.73
3	1871	260.8	6.52	1882	76.7	1.92			
4	1885	97.0	2.43						

All tracts combined shall not exceed 11.38 cubic feet per second from July 1st to October 1st of each year.

The total quantity diverted during each irrigation season not to exceed 2207.5 acre feet.

The points of diversion are located as follows:

POD#	DITCH NAME	LOCATION AND MEASURED DISTANCES
A-18	CARNES DITCH NORTH FORK ANTHONY CR.	SE¼ NW¼, SECTION 13, T6S, R37E, WM; 1795' SOUTH AND 4365' WEST FROM THE NORTHEAST CORNER OF SECTION 13, T6S, R38E, WM.
A-18A	CARNES DITCH SOUTH FORK ANTHONY CR.	SE¼ NW¼, SECTION 13, T6S, R37E, WM; 2461' SOUTH AND 4500' WEST FROM THE NORTHEAST CORNER OF SECTION 13, T6S, R38E, WM.
N-04	HUTCHINSON HILLSIDE DITCH	SW¼ SE¼, SECTION 18, T7S, R38E, WM; 730' NORTH AND 1370' WEST FROM THE SOUTHEAST CORNER OF SECTION 18, T7S, R38E, WM.
N-05	GARDNER MILLRACE DITCH	NW¼ NE¼, SECTION 5, T6S, R38E, WM; 2760' SOUTH AND 2380' WEST FROM THE EAST QUARTER CORNER OF SECTION 32, T6S, R38E, WM.
N-07	DALEY DITCH	NW¼ SW¼, SECTION 27, T6S, R38E, WM; 2270' NORTH AND 440' EAST FROM THE SOUTHWEST CORNER OF SECTION 27, T6S, R38E, WM.

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

TWPS	RNG E	SEC	Q40	Q160	ACRES	POD	DATE	USE	TAX LOT
TRACT 1									
6	38	26	SW	SW	28.5	N-07	1872	IR	5900
6	38	26	SE	SW	18.0	N-07	1872	IR	5900
6	38	35	NW	NW	10.0	N-07	1872	IR	5900
TRACT 2									
7	38	03	SW	NE	3.0	N-04	*N/S	I*	600/700
7	38	03	SE	NE	39.0	N-04	*N/S	I*	601/700
7	38	03	NE	SE	40.0	N-04	*N/S	I*	700
7	38	03	NW	SE	40.0	N-04	*N/S	I*	700
7	38	12	NE	NE	30.0	N-04	*N/S	I*	3000
7	38	12	SW	NE	40.0	N-04	*N/S	I*	3100
7	38	12	SE	NE	40.0	N-04	*N/S	I*	3000
7	38	12	NE	SE	40.0	N-04	*N/S	I*	3200
7	38	12	NW	SE	40.0	N-04	*N/S	I*	3200
7	38	12	SW	SE	40.0	N-04	*N/S	I*	3200
7	38	12	SE	SE	40.0	N-04	*N/S	I*	3200
TRACT 3									
6	38	34	NE	SW	40.0	N-05	*N/S	I*	1000
6	38	34	NW	SW	40.0	N-05	*N/S	I*	1000
6	38	34	SW	SW	14.0	N-05	*N/S	I*	1000
6	38	34	SW	SW	22.0	N-04 & 05	*N/S	I*	1000
6	38	34	SE	SW	24.0	N-05	*N/S	I*	1000
6	38	34	SE	SW	16.0	N-04 & 05	*N/S	I*	1000
6	38	34	NE	SE	40.0	N-05	*N/S	I*	1000
6	38	34	NW	SE	40.0	N-05	*N/S	I*	1000
6	38	34	SW	SE	32.0	N-05	*N/S	I*	1000
6	38	34	SW	SE	8.0	N-04 & 05	*N/S	I*	1000
6	38	34	SE	SE	40.0	N-05	*N/S	I*	1000

TWPS	RNG E	SEC	Q40	Q160	ACRES	POD	DATE	USE	TAX LOT
6	38	35	SW	NW	21.5	N-05	*N/S	I*	200
TRACT 4									
6	38	16	NW	NW	20.5	A-18 &18A	1885	I*	2001
6	38	16	SW	NW	25.0	A-18 &18A	1885	I*	2001
6	38	16	NW	SW	11.0	A-18 &18A	1885	I*	2001
6	38	17	NE	NE	6.5	A-18 &18A	1885	I*	2000
6	38	17	SE	NE	27.0	A-18 &18A	1885	I*	2000
6	38	17	NE	SE	7.0	A-18 &18A	1885	I*	2001

Location descriptions are based on the Willamette Meridian.

NOTE: * N/S means the priority is "Not Specific" to the land location.

This certificate describes that portion of the water right confirmed by Certificate 1469, issued in the name of J. H. Hutchinson, State Record of Water Right Certificates, as modified by the provisions of orders of the Water Resources Director entered on:

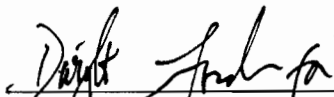
- December 30, 1959, approving Transfer Number S125, recorded at Special Order Volume 10, Page 125;
- December 20, 1979, approving Transfer Number D112, Special Order Volume 32, Page 582; and NOT modified by the provisions of orders of the Water Resources Director entered on MAY 17 2011, and recorded in Special Order Volume 84, page 160 approving a petition by the Powder Valley Water Control District under ORS 541.329.

This certificate together with Certificates 72286, 73626, 73997, 73998, and 83738, supersedes Certificate 1469.

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.

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 83781.

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