

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARCUS SACKOS
1405 CAMPBELL STREET
BAKER CITY, OR 97814

confirms the right to use the waters of the MILL CREEK, a tributary to the POWDER RIVER for IRRIGATION of 194.8 ACRES.

This right was perfected under Permit 26506. The date of priority is DECEMBER 28, 1959, FOR 3.0 CUBIC FEET PER SECOND (CFS) AND DECEMBER 29, 1959, FOR 1.875 CFS. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.875 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	SURVEY COORDINATES
8 S	39 E	WM	32	SE SW	1280 FEET NORTH AND 2640 FEET EAST FROM SW CORNER, SECTION 32.

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-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be furthered limited to a diversion of not to exceed 3 ½ acre feet per acre during the irrigation season of each year. 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:

IRRIGATION					
TWP	RNG	MER	SEC	Q-Q	ACRES
8 S	39 E	WM	20	NW SE	39.2
8 S	39 E	WM	20	SW SE	40.0
8 S	39 E	WM	20	SE SE	37.8
8 S	39 E	WM	29	NE NE	37.8
8 S	39 E	WM	29	NW NE	40.0
TOTAL:					194.8

This certificate is issued to correct a scrivener's error in the source described on Certificate 73613. This Certificate supersedes Certificate 73613, to describe the portion of water right Certificate 33793, NOT modified by the provisions of an order of the Water Resources Director entered January 16, 1997.

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.

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.

WITNESS the signature of the Water Resources Director, affixed February 17, 2010.

William E. Feber

Phillip C. Ward, Director