

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Baker Valley Irrigation District
3895 10th Street
Baker City, Oregon 97814

confirms the right to use the waters as described in each tract below, each source being within the POWDER RIVER DRAINAGE BASIN which is a tributary of SNAKE RIVER for uses as described on each tract of land.

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 not to exceed ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated during the irrigation season of each year.

The points of diversion are located:

POINT 6 (SMITH DITCH): NW 1/4 NE 1/4, SECTION 19, T 10 S, R 40 E, W.M.; 945 FEET SOUTH & 1865 FEET WEST FROM NE CORNER, SECTION 19

POINT 7 (SHAW-STEWART): NW 1/4 NE 1/4, SECTION 19, T 10 S, R 40 E, W.M.; 570 FEET SOUTH & 1900 FEET WEST FROM NE CORNER, SECTION 19

POINT 9 (MARSH-DICKINSON DITCH): NE 1/4 SW 1/4, SECTION 5, T 10 S, R 40 E, W.M.; 1600 FEET NORTH & 2350 FEET EAST FROM SW CORNER, SEC. 5

POINT 13 (BALDOCK DITCH): SW 1/4 NW 1/4, SECTION 16, T 9 S, R 40 E, W.M.; 1700 FEET SOUTH & 400 FEET EAST FROM NW CORNER, SEC. 16

POINT 17 (CORRAL DITCH): SW 1/4 NW 1/4, SECTION 9, T 9 S, R 40 E, W.M.; 50 FEET NORTH & 2720 FEET EAST FROM CENTER CORNER, SECTION 8

POINT 18 (ESTES WEST DITCH): NE 1/4 NE 1/4, SECTION 8, T 9 S, R 40 E, W.M.; 110 FEET SOUTH & 600 FEET WEST FROM NE CORNER, SECTION 8

POINT 23 (COMPANY WEST DITCH): SE 1/4 NE 1/4, SECTION 5, T 9 S, R 40 E, W.M.; 1600 FEET SOUTH & 320 FEET WEST FROM NE CORNER, SECTION 5

POINT 26 (POWERS EAST 2 DITCH): NW 1/4 SW 1/4, SECTION 33, T 8 S, R 40 E, W.M.; 2640 FEET NORTH & 850 FEET EAST FROM SW CORNER, SECTION 33

POINT 28 (POWERS WEST 1 DITCH): SW 1/4 NW 1/4, SECTION 33, T 8 S, R 40 E, W.M.; 2650 FEET NORTH & 800 FEET EAST FROM SW CORNER, SECTION 33

DITCH 27 (POWERS EAST 1 DITCH): NW 1/4 SW 1/4, SECTION 33, T 8 S, R 40 E, W.M.; 2650 FEET NORTH & 850 FEET EAST FROM SW CORNER, SECTION 33

POINT 56 (LILLEY): NE 1/4 NE 1/4, SECTION 11, T 8 S, R 39 E, W.M.; 270 FEET SOUTH & 340 FEET WEST FROM NE CORNER, SECTION 11

The following tracts were perfected under the Permit process. The date of priority for each tract and all terms and conditions specific to each tract are listed for each tract.

TRACT 1 (C-403):

POD# 7 - 0.105 CFS, IR OF 12.4 AC, 05/27/1910

POD# 9 - 1.04 CFS, IR OF 83.2 AC, 05/27/1910

POD# 7 - 0.38 CFS, SUPP. IR OF 26.7 AC, 05/27/1910

POD# 8 - 0.018 CFS, SUPP. IR OF 1.4 AC, 05/27/1910

POD# 9 - 0.545 CFS, SUPP. IR OF 43.6 AC, 05/27/1910

Special Order Vol. ⁷⁰ 72 Page ^{272 T-8697 Proper Proof Sov 104 P₉ 115} 138 ^{T-8446 Proper Proof Sov 104 P₉ 93}

vaunt 73406

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|------------|------|-----|-------|-------|-----|-----|-------|----------|
| 05/27/1910 | 9 | P | 38.4 | NW NW | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 9 | P | 5.0 | NE NW | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 9 | P | 39.8 | SW NW | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 9 | S | 6.3 | NE NW | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 9 | S | 30.5 | SE NW | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 9 | S | 6.8 | NE SW | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 7 | P | 8.4 | SW SE | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 7 | S | 26.7 | NE NW | 5 | 10S | 40E | POWDER R |
| 05/27/1910 | 7 | P | 4.0 | SE SE | 6 | 10S | 40E | POWDER R |
| 05/27/1910 | 8 | S | 1.4 | NE SW | 5 | 10S | 40E | POWDER R |

TRACT 2 (C-1171):

POD# 26 - 2.305 CFS, IR OF 92.2 AC, 06/28/1912

POD# 28 - 0.210 CFS, IR OF 8.4 AC, 06/28/1912

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|-----------|------|-----|-------|-------|-----|-----|-------|----------|
| 6/28/1912 | 26 | P | 5.3 | NE SW | 28 | 8S | 40E | POWDER R |
| 6/28/1912 | 26 | P | 25.0 | NE SW | 28 | 8S | 40E | POWDER R |
| 6/28/1912 | 28 | P | 8.4 | NE SW | 28 | 8S | 40E | POWDER R |
| 6/28/1912 | 26 | P | 5.2 | NW SE | 28 | 8S | 40E | POWDER R |
| 6/28/1912 | 26 | P | 14.4 | SE SW | 28 | 8S | 40E | POWDER R |
| 6/28/1912 | 26 | P | 25.0 | SE SW | 28 | 8S | 40E | POWDER R |
| 6/28/1912 | 26 | P | 17.3 | SW SE | 28 | 8S | 40E | POWDER R |

TRACT 3 (C-1633):

POD# 56 - 2.136 CFS, IR OF 170.9 AC, 04/19/1910

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|-----------|------|-----|-------|-------|-----|-----|-------|----------|
| 4/19/1910 | 56 | P | 1.3 | SE NE | 25 | 7S | 39E | POWDER R |
| 4/19/1910 | 56 | P | 25.6 | NW SW | 30 | 7S | 40E | POWDER R |
| 4/19/1910 | 56 | P | 35.2 | NW SW | 31 | 7S | 40E | POWDER R |
| 4/19/1910 | 56 | P | 37.2 | SE NW | 31 | 7S | 40E | POWDER R |
| 4/19/1910 | 56 | P | 4.4 | SE SW | 31 | 7S | 40E | POWDER R |
| 4/19/1910 | 56 | P | 36.8 | SW NW | 31 | 7S | 40E | POWDER R |
| 4/19/1910 | 56 | P | 30.4 | SW SW | 31 | 7S | 40E | POWDER R |

TRACT 4 (C-3416):

POD# 13 - 0.288 CFS, IR OF 23.0 AC, 02/26/1917

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|------------|------|-----|-------|-------|-----|-----|-------|----------|
| 02/26/1917 | 13 | P | 1.0 | NE SW | 9 | 9S | 40E | POWDER R |
| 02/26/1917 | 13 | P | 22.0 | NE SW | 9 | 9S | 40E | POWDER R |

TRACT 5 (C-3429):

POD# 56 - 0.335 CFS, IR OF 26.8 AC, 10/06/1919

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|------------|------|-----|-------|-------|-----|-----|-------|----------|
| 10-06-1919 | 56 | P | 26.8 | NE NE | 36 | 7S | 39E | POWDER R |

TRACT 6 (C-3710):

POD# 13 - 0.44 CFS, IR OF 35.5 AC, 02/01/1917

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|------------|------|-----|-------|-------|-----|-----|-------|----------|
| 02-01-1917 | 13 | P | 25.7 | SE SW | 9 | 9S | 40E | POWDER R |
| 02-01-1917 | 13 | P | 5.8 | SE SW | 9 | 9S | 40E | POWDER R |
| 02-01-1917 | 13 | P | 4.0 | SE SW | 9 | 9S | 40E | POWDER R |

TRACT 7 (C-3937):

POD# 28 - 1.106 CFS, IR OF 88.5 AC, 05/02/1918

POD# 23 - 0.35 CFS, IR OF 28.3 AC, 05/02/1918

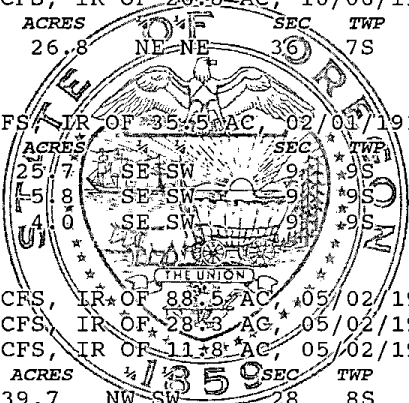
POD# 28 - 0.148 CFS, IR OF 11.8 AC, 05/02/1918

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|----------|------|-----|-------|-------|-----|-----|-------|----------|
| 5-2-1918 | 28 | P | 39.7 | NW SW | 28 | 8S | 40E | POWDER R |
| 5-2-1918 | 28 | P | 36.4 | SW SW | 28 | 8S | 40E | POWDER R |
| 5-2-1918 | 23 | P | 28.3 | NE NE | 32 | 8S | 40E | POWDER R |
| 5-2-1918 | 28 | P | 12.4 | NW NW | 33 | 8S | 40E | POWDER R |
| 5-2-1918 | 27 | P | 11.8 | NW NW | 33 | 8S | 40E | POWDER R |

TRACT 8 (C-4899):

POD# 56 - 0.60 CFS, IR OF 47.9 AC, 09/26/1918

| Priority | POD# | USE | ACRES | ¼ ¼ | SEC | TWP | RANGE | SOURCE |
|------------|------|-----|-------|-------|-----|-----|-------|----------|
| 09-26-1918 | 56 | P | 7.6 | SE SW | 31 | 7S | 40E | POWDER R |
| 09-26-1918 | 56 | P | 6.5 | SW SE | 31 | 7S | 40E | POWDER R |
| 09-26-1918 | 56 | P | 2.4 | SE SE | 2 | 8S | 39E | POWDER R |
| 09-26-1918 | 56 | P | 26.0 | SW NE | 2 | 8S | 39E | POWDER R |
| 09-26-1918 | 56 | P | 5.4 | NW SE | 1 | 8S | 39E | POWDER R |



TRACT 9 (C-15700):

POD# 17 - 0.81 CFS, IR OF 65.0 AC, 09/27/1928

| Priority | POD# | USE | ACRES | ¼ | ¼ | SEC | TWP | RANGE | SOURCE |
|-----------|------|-----|-------|----|----|-----|-----|-------|----------|
| 9/27/1928 | 17 | P | 4.9 | SE | SE | 25 | 8S | 40E | POWDER R |
| 9/27/1928 | 17 | P | 1.2 | SW | SE | 25 | 8S | 40E | POWDER R |
| 9/27/1928 | 17 | P | 34.8 | NW | SE | 36 | 8S | 40E | POWDER R |
| 9/27/1928 | 17 | P | 24.1 | SW | SE | 36 | 8S | 40E | POWDER R |

TRACT 10 (C-50454):

POD# 13 - 0.305 CFS, IR OF 24.4 AC, 02/26/1917

POD# 18 - 0.07 CFS, IR OF 5.6 AC, 02/26/1917

| Priority | POD# | USE | ACRES | ¼ | ¼ | SEC | TWP | RANGE | SOURCE |
|------------|------|-----|-------|----|----|-----|-----|-------|----------|
| 02-26-1917 | 18 | P | 3.1 | NE | NE | 31 | 8S | 40E | POWDER R |
| 02-26-1917 | 18 | P | 2.5 | NW | NE | 31 | 8S | 40E | POWDER R |
| 02-26-1917 | 13 | P | 24.4 | SW | SW | 9 | 9S | 40E | POWDER R |

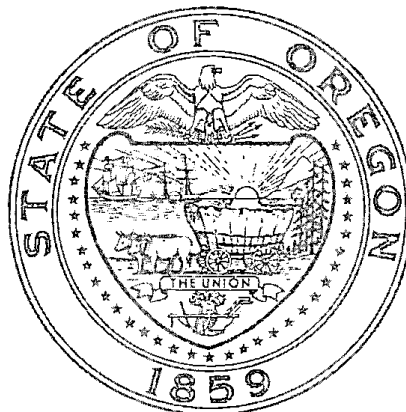
This certificate describes that portion of the water right confirmed by certificates 1171, 1633, 3416, 3429, 3710, 3937, 4899, 15700, 50454, State Record of Water Right Certificates, modified by the provisions of an order of the Water Resources Director entered on **FEB 25 1997** approving a petition by the Baker Valley Irrigation District under ORS 541.329.

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

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.

Witness the signature of the Water Resources Director, affixed
FEB 25 1997


Martha O. Pagel, Director



Recorded in State Record of Water Right Certificates numbered 73406.

PER2.80