

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER POWDER RIVER IRRIGATION DISTRICT
 P.O. BOX 965
 BAKER CITY, OREGON 97814

confirms the right to use the waters of POWDER RIVER, TRIBUTARY OF SNAKE RIVER, for IRRIGATION (IR) OF 533.6 ACRES.

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 6, at Page 291 . The date of priority is APRIL 19, 1898.

The use is limited to 13.34 CUBIC FEET PER SECOND, being 10.66 cubic feet per second from diversion 2 and not to exceed 2.68 cubic feet per second from a combination of diversion 6 and diversion 8, or it's equivalent in case of rotation.

The points of diversion are located as follows:

2 -- BASCHE DITCH - NW¼ SE ¼, SECTION 28, Township 7 South, Range 41 East, W.M.; 1880 feet North and 600 feet East from the South quarter corner of Section 28.

6 -- PERKINS DITCH - NW¼ SW¼, SECTION 17, Township 8 South, Range 42 East, W.M.; 50 feet South and 800 feet East from the West quarter corner of Section 17.

8 -- (old) PERKINS DITCH - NE¼ NE¼, SECTION 18, Township 8 South, Range 42 East, WM., 900 feet South and 700 feet West from the NE corner of said section.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second for each acre irrigated during the irrigation season of each year.

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

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	43	31	SWNW	IR	30.9	Phillips Ranch Inc CP	6 & 8
8	42	36	SWNW	IR	21.0	Phillips Ranch Inc CP	2
8	42	36	SENE	IR	14.9	Phillips Ranch Inc CP	2
8	43	31	SESW	IR	3.1	Phillips Ranch Inc CP	2
8	43	31	NWSW	IR	17.7	Phillips Ranch Inc CP	2
8	42	36	NWSW	IR	2.7	Phillips Ranch Inc CP	2
8	42	36	NWNW	IR	3.9	Phillips Ranch Inc CP	2
8	43	31	SESE	IR	23.5	Phillips Ranch Inc CP	2
8	43	31	SWSE	IR	20.6	Phillips Ranch Inc CP	2
8	42	26	NWSW	IR	12.5	Phillips Ranch Inc CP	6 & 8
8	42	35	NENE	IR	27.3	Phillips Ranch Inc CP	6 & 8
8	42	26	SWSE	IR	26.8	Phillips Ranch Inc CP	6 & 8
8	42	35	NWNE	IR	9.5	Phillips Ranch Inc CP	6 & 8
8	43	31	SESE	IR	0.3	Phillips Ranch Inc CP	6 & 8
8	42	36	NWNE	IR	37.7	Phillips Ranch Inc CP	6 & 8
8	43	31	NWNW	IR	15.9	Phillips Ranch Inc CP	6 & 8
8	43	31	SENE	IR	17.2	Phillips Ranch Inc CP	6 & 8
8	42	36	NENE	IR	31.1	Phillips Ranch Inc CP	6 & 8

8	43	31	NENW	IR	3.5	Phillips Ranch Inc CP	6 & 8
8	42	25	SWSE	IR	6.8	Phillips Ranch Inc CP	6 & 8
8	43	31	NESE	IR	38.2	Phillips Ranch Inc CP	6 & 8
8	42	25	SWSW	IR	14.2	Phillips Ranch Inc CP	6 & 8
8	42	36	NWNW	IR	29.0	Phillips Ranch Inc CP	6 & 8
8	42	26	SESE	IR	19.1	Phillips Ranch Inc CP	6 & 8
8	42	26	NESE	IR	1.5	Phillips Ranch Inc CP	6 & 8
8	43	31	SWNE	IR	0.5	Phillips Ranch Inc CP	6 & 8
8	43	31	SWNE	IR	9.0	Phillips Ranch Inc CP	6 & 8
8	42	36	SWNE	IR	0.7	Phillips Ranch Inc CP	6 & 8
8	42	26	NESW	IR	28.0	Phillips Ranch Inc CP	6 & 8
8	42	36	NENW	IR	27.5	Phillips Ranch Inc CP	6 & 8
8	42	25	SESW	IR	13.4	Phillips Ranch Inc CP	6 & 8
8	43	31	SENW	IR	25.6	Phillips Ranch Inc CP	6 & 8
Total:					533.6		

This certificate describes that portion of the water right confirmed by Certificates 4218 and 4410, State Record of Water Right Certificates, modified by the provisions of an order of the Water Resources Director entered on DEC 30 1997, and recorded in Special Order Volume 51, Page 1406, approving a petition by Lower Powder River Irrigation District under ORS 541.329, and Transfer Application 7287.

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 DEC 30 1997.

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74035.

4218.JS