

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 928.9 ACRES AND WILDLIFE ATTRACTION (W) FOR 3.8 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 DECEMBER 7, 1880.

The use is limited to 23.32 CUBIC FEET PER SECOND, being 4.51 cubic feet per second from diversion 2, 2.89 cubic feet per second from diversion 3, and 15.92 cubic feet per second from both diversion 2 and diversion 3, or it's equivalent in case of rotation.

The points of diversion are located as follows:

2 -- BASCHE DITCH - NW¼SE ¼, SECTION 28, Township 7 South, Range 41East, W.M.; 1880 feet North and 600 feet East from the South quarter corner of said section.

3 -- DUNCAN DITCH - SE¼NW¼, SECTION 34, Township 7 South, Range 41 East, W.M.; 1050 feet North and 2420 feet East from the West quarter corner of said section.

The amount of water used, 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 to which water is applied, 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	41	2	SENW	IR	38.0	A. Jury	2
8	41	2	NWNW	IR	41.0	A. Jury	2
					Total:	79.0	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	41	12	SWNW	IR	1.7	C. Pickard	2
8	41	12	SWSE	IR	18.8	C. Pickard	2
8	41	12	SWSW	IR	10.0	C. Pickard	2
8	41	12	NESW	W	0.2	C. Pickard	2
8	41	12	NWSW	IR	19.3	C. Pickard	2
8	41	12	SESW	IR	20.4	C. Pickard	2
8	41	12	NESW	IR	11.5	C. Pickard	2
8	41	12	SESE	IR	0.1	C. Pickard	2
8	41	12	SENW	IR	40.0	C. Pickard	2 & 3
8	42	7	SWSW	IR	38.8	C. Pickard	2 & 3
8	41	12	SENE	IR	22.8	C. Pickard	2 & 3
8	41	12	SWSE	IR	18.7	C. Pickard	2 & 3
8	41	12	NESW	IR	25.8	C. Pickard	2 & 3
8	41	12	NWNE	IR	35.4	C. Pickard	2 & 3
8	42	18	SENE	W	0.7	C. Pickard	2 & 3
8	42	18	NWNE	W	0.5	C. Pickard	2 & 3
8	41	12	NWNE	W	0.2	C. Pickard	2 & 3
8	42	7	NESW	IR	22.7	C. Pickard	2 & 3
8	41	1	SWSE	IR	4.3	C. Pickard	2 & 3
8	42	7	SENW	IR	1.0	C. Pickard	2 & 3
8	42	7	SWSE	IR	26.6	C. Pickard	2 & 3
8	41	12	SESW	IR	6.7	C. Pickard	2 & 3
8	41	12	SWNE	IR	37.0	C. Pickard	2 & 3
8	41	12	NESE	IR	40.0	C. Pickard	2 & 3
8	42	7	NWSW	IR	36.8	C. Pickard	2 & 3
8	41	12	SESE	IR	39.2	C. Pickard	2 & 3
8	41	12	NWNW	IR	21.8	C. Pickard	2 & 3
8	41	12	NWSE	IR	40.0	C. Pickard	2 & 3

8	42	7	SESE	IR	0.3	C. Pickard	2 & 3
8	42	18	SENE	IR	35.9	C. Pickard	2 & 3
8	42	7	NWSE	IR	3.3	C. Pickard	2 & 3
8	41	12	SWNE	W	0.9	C. Pickard	2 & 3
8	42	18	NENE	IR	9.0	C. Pickard	2 & 3
8	42	7	SESW	IR	38.2	C. Pickard	2 & 3
8	42	17	SWNW	IR	13.8	C. Pickard	2 & 3
8	42	7	SWNW	IR	6.1	C. Pickard	2 & 3
8	42	18	NWNE	IR	19.5	C. Pickard	2 & 3
8	41	12	NENW	IR	16.5	C. Pickard	2 & 3
8	41	12	SWNW	IR	34.2	C. Pickard	2 & 3
					Total:	718.7	

Township South	Range East	Section	I/4 I/4	Use	Acres	Owner	Point of Diversion
8	42	27	NWNW	IR	19.5	G. Davis	2
					Total:	19.5	

Township South	Range East	Section	I/4 I/4	Use	Acres	Owner	Point of Diversion
8	42	18	NENW	IR	38.2	OCC	3
8	42	18	NWNW	IR	37.0	OCC	3
8	42	18	NWNE	IR	18.7	OCC	3
8	42	18	NWNE	W	1.3	OCC	3
					Total:	95.2	

Township South	Range East	Section	I/4 I/4	Use	Acres	Owner	Point of Diversion
8	42	7	SESE	IR	0.6	W. Jury	3
8	42	7	NESW	IR	2.5	W. Jury	3
8	42	18	NENE	IR	2.2	W. Jury	3
8	42	7	NWSE	IR	1.6	W. Jury	3
8	42	7	SWSE	IR	2.9	W. Jury	3
8	41	12	NENE	IR	3.0	W. Jury	3
8	41	12	SENE	IR	2.4	W. Jury	3
8	42	7	SESW	IR	1.1	W. Jury	3
8	42	7	NWSW	IR	1.3	W. Jury	3
8	42	7	SWNW	IR	2.7	W. Jury	3
					Total:	20.3	

- Note: For all of the land owned by C. Pickard that has a point of diversion of the Basche Ditch and the Duncan Ditch, and all land owned by W. Jury and Oregon Cattle Co., the following inclusion shall apply for this certificate:

The quantity of water diverted at the Duncan diversion plus the amount diverted from the Basche diversion shall not exceed the quantity of water lawfully available at the original point of diversion (Basche Ditch).

This certificate confirms an order of the 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 for mapping water rights within a district. This certificate supersedes portions of certificates 4000, 4148, and 4432.

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**.

151 MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74036.