

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 1172.4 ACRES AND WILDLIFE ATTRACTION (W) FOR 0.3 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 1880.

The use is limited to 29.3 CUBIC FEET PER SECOND, being 23.5 cubic feet per second from diversion 2, 1.9 cubic feet per second for diversion 3, and not to exceed 3.9 cubic feet per second from the 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 said section.

3 -- DUNCAN DITCH - SE¼ NW¼, 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.

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 said section.

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, 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	Quarter Quarter	Use	Acres	Owner	Tax Lot	Point of Diversion
7	41	35	NWSW	IR	1.4	A. Jury	500	2
8	41	2	NWSE	IR	3.5	A. Jury	700	2
7	41	34	NWSE	IR	2.8	A. Jury	500	2
8	41	2	SWSE	IR	5.4	A. Jury	700	2
7	41	34	NESE	IR	33.4	A. Jury	500	2
7	41	34	SWNE	IR	0.5	A. Jury	500	2
7	41	34	SESE	IR	13.3	A. Jury	500	2
Total:					60.3			

Township South	Range East	Section	Quarter Quarter	Use	Acres	Owner	Tax Lot	Point of Diversion
8	42	19	NWNE	IR	25.4	E. Rau	3900	2
8	42	19	NENE	IR	19.6	E. Rau	3900	2
8	42	19	SENE	IR	8.1	E. Rau	3900	2
8	42	20	SWNW	IR	12.8	E. Rau	3900	2
Total:					65.9			

Township South	Range East	Section	Quarter Quarter	Use	Acres	Owner	Tax Lot	Point of Diversion
8	42	17	SWSW	IR	36.2	G. Fleming	3400	3
8	42	20	NWNW	IR	40.0	G. Fleming	3400	3
8	42	17	SWSW	W	0.3	G. Fleming	3400	3

					Total:	76.5			
Township	Range	Section	Quarter	Use	Acres	Owner	Tax	Point of	
South	East		Quarter				Lot	Diversion	
8	42	21	SWSW	IR	1.7	M. Morrissey	4300	2	
8	42	20	SESE	IR	26.7	M. Morrissey	4100	2	
8	42	20	SWSE	IR	1.9	M. Morrissey	4100	2	
8	42	21	SENW	IR	26.7	M. Morrissey	4300	2	
					Total:	57.0			

Township	Range	Section	Quarter	Use	Acres	Owner	Tax	Point of	
South	East		Quarter				Lot	Diversion	
7	41	34	SWNE	IR	1.5	Mary C. Dolby	4900	2	
7	41	34	NWSE	IR	0.4	Mary C. Dolby	4900	2	
					Total:	1.9			

Township	Range	Section	Quarter	Use	Acres	Owner	Tax	Point of	
South	East		Quarter				Lot	Diversion	
8	42	18	NWSW	IR	1.7	OCC	3700	2	
8	42	18	SWNW	IR	12.7	OCC	3600	2	
8	41	13	SWNE	IR	12.4	OCC	100	2	
8	41	13	NWNE	IR	25.7	OCC	100	2	
8	41	13	SENE	IR	34.1	OCC	100	2	
8	41	13	NENE	IR	4.8	OCC	100	2	
					Total:	91.4			

Township	Range	Section	Quarter	Use	Acres	Owner	Tax	Point of	
South	East		Quarter				Lot	Diversion	
8	42	35	NWNE	IR	8.2	Phillips Ranch Inc CP	5200	2	
8	42	35	NENE	IR	6.9	Phillips Ranch Inc CP	5200	2	
8	42	35	SENE	IR	13.2	Phillips Ranch Inc CP	5200	2	
8	43	31	SESW	IR	22.0	Phillips Ranch Inc CP	2800	2	
8	42	26	NESW	IR	5.2	Phillips Ranch Inc CP	5200	2	
8	42	26	SESW	IR	28.2	Phillips Ranch Inc CP	5200	2	
8	42	26	NWSW	IR	27.5	Phillips Ranch Inc CP	5200	2	
8	42	26	SWSW	IR	35.9	Phillips Ranch Inc CP	5200	2	
8	42	26	SWSE	IR	10.9	Phillips Ranch Inc CP	5200	2	
					Total:	158.0			

Township	Range	Section	Quarter	Use	Acres	Owner	Tax	Point of	
South	East		Quarter				Lot	Diversion	
8	42	22	SWSE	IR	28.0	R. O'Connell	4600	6 & 8	
8	42	22	SENW	IR	4.9	R. O'Connell	4600	6 & 8	
8	42	22	NESW	IR	22.8	R. O'Connell	4600	6 & 8	
					Total:	55.7			

Township	Range	Section	Quarter	Use	Acres	Owner	Tax	Point of
South	East		Quarter				Lot	Diversion
8	42	27	SENW	IR	0.4	R. Tallman	4700	6 & 8
8	42	27	NWNE	IR	38.0	R. Tallman	4700	6 & 8
8	42	22	SESE	IR	2.0	R. Tallman	4700	6 & 8
8	42	26	NWNW	IR	9.4	R. Tallman	4700	6 & 8
8	42	27	NENE	IR	23.5	R. Tallman	4700	6 & 8
8	42	27	SWNE	IR	7.5	R. Tallman	4700	6 & 8
8	42	27	NENW	IR	17.6	R. Tallman	4700	6 & 8
8	42	27	NENW	IR	22.4	R. Tallman	4700	2
8	42	27	SENW	IR	32.5	R. Tallman	4700	2
8	42	27	NWNE	IR	2.0	R. Tallman	4700	2
8	42	27	NWSE	IR	25.8	R. Tallman	4700	2
8	42	27	SWNE	IR	32.5	R. Tallman	4700	2
8	42	27	SESE	IR	12.2	R. Tallman	4700	2

8	42	27	SENE	IR	8.8	R. Tallman	4700	2
8	42	27	NESW	IR	3.6	R. Tallman	4700	2
8	42	27	NESE	IR	39.0	R. Tallman	4700	2
					Total:	277.2		

Township South	Range East	Section	Quarter Quarter	Use	Acres	Owner	Tax Lot	Point of Diversion
8	42	21	SWSE	IR	0.7	R. Walden	4400	2
8	42	21	SESE	IR	0.8	R. Walden	4400	2
8	42	21	SESW	IR	18.5	R. Walden	4400	2
					Total:	20.0		

Township South	Range East	Section	Quarter Quarter	Use	Acres	Owner	Tax Lot	Point of Diversion
8	42	19	NENW	IR	9.0	R. Watson	100	2
					Total:	9.0		

Township South	Range East	Section	Quarter Quarter	Use	Acres	Owner	Tax Lot	Point of Diversion
8	42	18	NWSW	IR	5.1	T. & W. Spencer	3500	2
8	42	18	SESW	IR	31.7	T. & W. Spencer	3500	2
8	42	18	SWNE	IR	1.0	T. & W. Spencer	3500	2
8	42	18	NESW	IR	24.8	T. & W. Spencer	3500	2
8	42	18	SWSW	IR	2.0	T. & W. Spencer	3800	2
8	42	18	SWNW	IR	2.1	T. & W. Spencer	3500	2
8	42	18	SWSE	IR	11.0	T. & W. Spencer	3500	2
8	42	18	SENW	IR	2.6	T. & W. Spencer	3500	2
					Total:	79.3		

Township South	Range East	Section	Quarter Quarter	Use	Acres	Owner	Tax Lot	Point of Diversion
8	42	20	SENE	IR	37.8	Wilde Ranch	3200	2
8	42	20	SWNE	IR	39.2	Wilde Ranch	3200	2
8	42	20	NENE	IR	38.2	Wilde Ranch	3200	2
8	42	20	NWNE	IR	37.8	Wilde Ranch	3200	2
8	42	20	NWSE	IR	20.0	Wilde Ranch	3200	2
8	42	20	NESE	IR	28.5	Wilde Ranch	3200	2
8	42	20	SENW	IR	10.8	Wilde Ranch	3200	2
8	42	20	NESW	IR	7.2	Wilde Ranch	3200	2
					Total:	219.5		

This certificate describes that portion of the water right confirmed by Certificates 4032, 4347, 4393, 4410, 4454, 4489, 4491, 4492, 4521, 4557, 4583, and 5105 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.

15/ MARTHA O. PAGEL
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74040.