

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 2587.8 ACRES, SUPPLEMENTAL IRRIGATION (IS) OF 126.3 ACRES AND WILDLIFE ATTRACTION (W) FOR 8.9 ACRES OF LAND.

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 1888.

The use is limited to 68.08 CUBIC FEET PER SECOND, being 1.78 cubic feet per second from diversion 1, 9.62 cubic feet per second from diversion 2, 21.52 cubic feet per second from diversion 3, 33.32 cubic feet per second from diversion 4, and 1.82 cubic feet per second from diversion 5, or it's equivalent in case of rotation.

The points of diversion are located as follows:

1 -- EMELE DITCH - NE¼ SE ¼, SECTION 20, Township 7 South, Range 41 East, W.M.; 450 feet South and 250 feet West from the East quarter corner of said section.

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.0

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.

4 -- ERWIN DITCH - SE¼ NW¼, SECTION 34, Township 7 South, Range 41 East, WM.; 3850 feet North and 100 feet West from the South quarter corner of said section.

5 -- CRANSTON DITCH - SW¼ NW¼, SECTION 17, Township 8 South, Range 42 East, W.M.; 880 feet East of 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	42	7	NWNE	IR	16.7	A. & S. Hunt	4
8	42	8	SWNW	IR	10.2	A. & S. Hunt	4
8	42	7	SENE	IR	32.2	A. & S. Hunt	4
8	42	7	NENW	IR	4.5	A. & S. Hunt	4
8	42	7	NESE	IR	40.0	A. & S. Hunt	4
8	42	8	NWSW	IR	21.7	A. & S. Hunt	4
8	42	7	SWNE	IR	31.4	A. & S. Hunt	4
Total:					156.7		

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	41	2	NESW	IR	40.0	A. Jury	2
8	41	2	SWSW	IR	1.4	A. Jury	2
8	41	2	SESW	IR	32.3	A. Jury	2
8	41	2	SWNW	IR	25.8	A. Jury	2

8	41	2	SWSE	IR	22.8	A. Jury	2
8	41	2	SENE	IR	2.0	A. Jury	2
8	41	2	NWSW	IR	11.2	A. Jury	2
7	41	34	NESE	IR	0.2	A. Jury	3
7	41	34	SESE	IR	5.0	A. Jury	3
7	41	35	SWSW	IR	33.4	A. Jury	3
8	41	2	NWSE	W	1.4	A. Jury	3
8	41	2	NWSE	IR	35.1	A. Jury	3
					Total:	210.6	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	42	6	NWSW	IR	0.3	C. Morrissey	4
8	41	1	SWNE	IR	0.6	C. Morrissey	4
8	42	6	SWSW	IR	3.0	C. Morrissey	4
8	41	1	SESE	IR	37.7	C. Morrissey	4
					Total:	41.6	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	42	17	SWNW	IR	13.1	C. Pickard	4
					Total:	13.1	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	42	19	NWNE	IR	1.4	E. Rau	3
8	42	20	SWNW	IR	23.6	E. Rau	3
8	42	19	NENE	IR	16.0	E. Rau	3
					Total:	41.0	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	42	16	SESW	IR	33.8	E. Romtvedt	4
8	42	16	SWSE	IR	33.1	E. Romtvedt	4
8	42	21	NWNE	IR	8.3	E. Romtvedt	4
8	42	16	SWSW	IR	20.0	E. Romtvedt	4
8	42	16	SESE	IR	7.2	E. Romtvedt	4
8	42	16	NWSE	IR	14.3	E. Romtvedt	4
8	42	16	SENE	IR	2.1	E. Romtvedt	4
8	42	21	NENW	IR	2.6	E. Romtvedt	3
8	42	21	SENE	IR	13.2	E. Romtvedt	3
8	42	21	NWNW	IR	9.3	E. Romtvedt	4
8	42	16	NESW	IR	38.7	E. Romtvedt	4
8	42	16	NWSW	IR	39.8	E. Romtvedt	4
					Total:	222.4	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	41	1	SENE	IR	2.0	F. Colton	1
8	41	1	NWNE	IR	9.5	F. Colton	1
8	41	1	NWSW	IR	14.8	F. Colton	4
8	41	1	SENE	IR	17.5	F. Colton	4
8	41	1	SWNW	IR	31.1	F. Colton	4
					Total:	74.9	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
7	41	35	SWSE	IR	4.5	J. Colton	1
8	41	2	NWNE	IR	5.3	J. Colton	1
7	41	36	SESW	IR	1.0	J. Colton	1
8	41	2	NENE	IR	34.8	J. Colton	1

8	41	2	SENE	IR	2.4	J. Colton	1
7	41	36	SWSW	IR	11.5	J. Colton	1
8	41	2	SENE	IR	11.7	J. Colton	3
8	41	2	NESE	IR	31.9	J. Colton	3
8	41	2	SWNE	IR	21.1	J. Colton	3
7	41	35	SESW	IR	6.3	J. Colton	3
8	41	2	NENW	IR	40.0	J. Colton	3
8	41	2	NWNE	IR	8.4	J. Colton	3
8	41	2	SENE	IR	22.3	J. Colton	4
7	41	35	SESW	IR	27.9	J. Colton	4
8	41	2	NENW	IR	0.2	J. Colton	4
8	41	2	SWNE	IR	15.6	J. Colton	4
8	41	2	NENE	IR	5.3	J. Colton	4
8	41	2	NESE	IR	6.1	J. Colton	4
8	41	2	NWNE	IR	20.2	J. Colton	4
7	41	35	SWSE	IR	2.6	J. Colton	4
7	41	35	NWSW	IR	24.5	J. Colton	4
7	41	35	SWSW	IR	4.3	J. Colton	4
7	41	35	NESW	IR	16.5	J. Colton	4
Total:					324.4		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
8	42	21	SWSW	IR	19.5	M. Morrissey	2
8	42	21	NESW	IR	40.0	M. Morrissey	2
Total:					59.5		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
7	41	34	SWNE	IR	1.1	Mary C. Dolby	3
Total:					1.1		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
8	41	13	SENE	IR	3.5	OCC	3
8	42	18	SWNW	IR	16.5	OCC	3
8	41	13	NENE	IR	35.2	OCC	3
Total:					55.2		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
8	43	31	SWNW	IR	1.4	Phillips Ranch Inc CP	2
8	42	36	NENW	IR	1.0	Phillips Ranch Inc CP	2
8	42	17	NESE	IS	28.2	Phillips Ranch Inc CP	4
8	42	17	SWNE	IS	37.7	Phillips Ranch Inc CP	4
8	42	17	SENW	IS	39.7	Phillips Ranch Inc CP	4
8	42	17	NWNW	IR	40.0	Phillips Ranch Inc CP	4
8	42	17	NWNE	IR	18.7	Phillips Ranch Inc CP	4
8	42	8	SWSW	IR	39.3	Phillips Ranch Inc CP	4
8	42	18	NENE	IR	7.0	Phillips Ranch Inc CP	4
8	42	17	NWSE	IS	8.7	Phillips Ranch Inc CP	4
8	42	8	SESW	IR	19.0	Phillips Ranch Inc CP	4
8	42	7	SESE	IR	18.2	Phillips Ranch Inc CP	4
8	42	17	NENW	IR	40.0	Phillips Ranch Inc CP	4
8	42	17	NWSE	IR	28.6	Phillips Ranch Inc CP	5
Total:					327.5		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
8	41	11	NWNE	IR	27.7	R. D. Baggerly	3
8	41	12	NWNW	IR	17.2	R. D. Baggerly	3
8	41	11	SENE	IR	16.6	R. D. Baggerly	3
8	41	1	SWSW	IR	28.1	R. D. Baggerly	3
8	41	11	NENE	IR	40.0	R. D. Baggerly	3
8	41	1	SESW	IR	3.2	R. D. Baggerly	3
8	41	12	NENW	IR	9.5	R. D. Baggerly	3
8	41	1	SWSE	IR	27.2	R. D. Baggerly	4
8	41	1	SESW	W	1.6	R. D. Baggerly	4
8	41	12	NWNE	IR	0.8	R. D. Baggerly	4
8	41	1	SESW	IR	18.3	R. D. Baggerly	4
8	41	1	NWSW	W	0.5	R. D. Baggerly	4
8	41	1	NWSW	IR	17.5	R. D. Baggerly	4
8	41	1	NESW	IR	40.0	R. D. Baggerly	4
8	41	12	NENW	IR	7.7	R. D. Baggerly	4
8	41	1	SWSE	W	2.7	R. D. Baggerly	4
8	41	1	SWSW	IR	5.6	R. D. Baggerly	4
Total:					264.2		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
8	42	17	SESW	IR	38.4	R. Lowry	3
8	42	17	NESW	IR	32.9	R. Lowry	3
8	42	17	NWSW	IR	32.5	R. Lowry	3
8	42	16	SWNW	IR	7.5	R. Lowry	4
8	42	17	NENE	IR	14.6	R. Lowry	4
8	42	17	NENE	IR	2.2	R. Lowry	4
8	42	16	NWNW	IR	0.7	R. Lowry	4
8	42	16	NWNW	IS	1.0	R. Lowry	4
8	42	17	SENE	IR	39.9	R. Lowry	4
8	42	16	NWNW	IR	11.0	R. Lowry	4
Total:					180.7		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
8	42	21	SESE	IR	8.1	R. Walden	2
8	42	21	NWSE	IR	32.5	R. Walden	2
8	42	21	NESE	IR	26.0	R. Walden	2
8	42	21	NWSW	IR	40.0	R. Walden	2
8	42	21	SWNW	IR	40.0	R. Walden	2
Total:					146.6		

Township South	Range East	Section	1/4 I/4	Use	Acres	Owner	Point of Diversion
8	42	18	NESW	IR	1.0	T. & W. Spencer	3
8	42	18	SESE	W	0.5	T. & W. Spencer	3
8	42	18	NESW	IR	13.8	T. & W. Spencer	3
8	42	18	SESE	IR	37.5	T. & W. Spencer	3
8	42	18	SENW	IR	37.4	T. & W. Spencer	3
8	42	18	SWNE	IR	39.0	T. & W. Spencer	3
8	42	18	NWSE	IR	40.0	T. & W. Spencer	3
8	42	18	NESE	IR	40.0	T. & W. Spencer	3
8	42	18	SWSE	IR	19.4	T. & W. Spencer	3
8	42	18	SWNW	IR	7.9	T. & W. Spencer	3
8	42	18	SESW	IR	7.0	T. & W. Spencer	3
Total:					243.5		

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	42	18	NENE	IR	6.3	W. Jury	4
8	42	7	NESW	IR	12.2	W. Jury	4
8	42	7	NWSE	IR	31.0	W. Jury	4
8	42	7	SWNW	IR	28.9	W. Jury	4
8	41	12	NENE	IR	31.3	W. Jury	4
8	41	12	SENE	IR	10.7	W. Jury	4
8	42	7	SWSE	IR	7.7	W. Jury	4
8	42	7	SENW	IR	25.0	W. Jury	4
8	42	7	NWNW	IR	30.0	W. Jury	4
8	42	7	NWSW	IR	1.3	W. Jury	4
8	42	7	SESE	IR	18.3	W. Jury	4
8	42	7	SENW	W	1.3	W. Jury	4
8	42	7	SWNW	W	0.9	W. Jury	4
Total:					204.9		

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	42	20	NWSW	IR	3.5	Wilde Ranch	2
8	42	17	SWSE	IR	3.5	Wilde Ranch	2
8	42	20	NESW	IR	4.8	Wilde Ranch	2
8	42	20	NESE	IR	5.5	Wilde Ranch	2
8	42	20	NENE	IR	1.8	Wilde Ranch	2
8	42	20	NESE	IR	6.0	Wilde Ranch	2
8	42	17	SWSE	IR	15.6	Wilde Ranch	2
8	42	17	SWSE	IR	13.4	Wilde Ranch	5
8	42	17	SESE	IR	30.7	Wilde Ranch	5
8	42	17	SESE	IR	6.6	Wilde Ranch	2
8	42	20	NENW	IR	35.6	Wilde Ranch	3
8	42	20	SENW	IR	28.1	Wilde Ranch	3
Total:					155.1		

This certificate describes that portion of the water right confirmed by Certificates 4105, 4213, 4395, 4493, 3999, 4000, 4063, 4078, 4079, 4106, 4135, 4148, 4193, 4347, 4393, 4410, 4454, 4489, 4521, 4557, and 68438, 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.

151. MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74041.