

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 452.1 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 1885.

The use is limited to 11.3 CUBIC FEET PER SECOND, being 1.32 cubic feet per second from diversion 4 and 9.98 cubic feet per second from diversion 1 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.; being 450 feet South and 250 feet West from the East quarter corner of said section.

4 -- ERWIN DITCH - SE¼ NW¼, SECTION 34, Township 7 South, Range 41 East, W.M.; being 3850 feet North and 100 feet West from the South quarter 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 I/4 | Use | Acres       | Owner        | Point of Diversion |
|----------------|------------|---------|---------|-----|-------------|--------------|--------------------|
| 8              | 42         | 7       | SWNE    | IR  | 5.8         | A. & S. Hunt | 1                  |
| 8              | 42         | 7       | NWNE    | IR  | 3.9         | A. & S. Hunt | 1                  |
| 8              | 42         | 7       | SENE    | IR  | 6.8         | A. & S. Hunt | 1                  |
| 8              | 42         | 7       | NENW    | IR  | 26.9        | A. & S. Hunt | 1                  |
| <b>Total:</b>  |            |         |         |     | <b>43.4</b> |              |                    |

| Township South | Range East | Section | 1/4 I/4 | Use | Acres        | Owner        | Point of Diversion |
|----------------|------------|---------|---------|-----|--------------|--------------|--------------------|
| 8              | 42         | 6       | SWSW    | IR  | 21.3         | C. Morrissey | 1                  |
| 8              | 42         | 6       | NWSW    | IR  | 13.4         | C. Morrissey | 1                  |
| 8              | 42         | 6       | SWSW    | IR  | 0.4          | C. Morrissey | 4                  |
| 8              | 41         | 1       | NESE    | IR  | 13.0         | C. Morrissey | 4                  |
| 8              | 41         | 1       | NWSE    | IR  | 33.6         | C. Morrissey | 4                  |
| 8              | 42         | 6       | SWSW    | IR  | 3.0          | C. Morrissey | 4                  |
| 8              | 42         | 6       | SESW    | IR  | 2.0          | C. Morrissey | 1                  |
| 8              | 41         | 1       | SENE    | IR  | 6.0          | C. Morrissey | 1                  |
| 8              | 41         | 1       | NESE    | IR  | 18.4         | C. Morrissey | 1                  |
| 8              | 41         | 1       | SWNE    | IR  | 28.8         | C. Morrissey | 1                  |
| 8              | 41         | 1       | NWSE    | IR  | 1.1          | C. Morrissey | 1                  |
| <b>Total:</b>  |            |         |         |     | <b>141.0</b> |              |                    |

| Township<br>South | Range<br>East | Section | 1/4 1/4 | Use | Acres        | Owner     | Point of<br>Diversion |
|-------------------|---------------|---------|---------|-----|--------------|-----------|-----------------------|
| 8                 | 41            | 1       | NENW    | IR  | 37.7         | F. Colton | 1                     |
| 8                 | 41            | 1       | SWNW    | IR  | 8.8          | F. Colton | 1                     |
| 8                 | 41            | 1       | SENW    | IR  | 20.0         | F. Colton | 1                     |
| 8                 | 41            | 1       | NWNW    | IR  | 39.4         | F. Colton | 1                     |
| <b>Total:</b>     |               |         |         |     | <b>105.9</b> |           |                       |

| Township<br>South | Range<br>East | Section | 1/4 1/4 | Use | Acres        | Owner     | Point of<br>Diversion |
|-------------------|---------------|---------|---------|-----|--------------|-----------|-----------------------|
| 7                 | 41            | 35      | SESE    | IR  | 0.3          | J. Colton | 1                     |
| 7                 | 41            | 35      | NESW    | IR  | 23.5         | J. Colton | 1                     |
| 7                 | 41            | 35      | SWSE    | IR  | 29.5         | J. Colton | 1                     |
| 7                 | 41            | 35      | NWSE    | IR  | 27.0         | J. Colton | 1                     |
| 7                 | 41            | 35      | SENW    | IR  | 19.4         | J. Colton | 1                     |
| 7                 | 41            | 35      | SWNE    | IR  | 4.5          | J. Colton | 1                     |
| 7                 | 41            | 35      | SESW    | IR  | 3.0          | J. Colton | 1                     |
| 7                 | 41            | 35      | NESE    | IR  | 1.0          | J. Colton | 1                     |
| 7                 | 41            | 36      | SWSW    | IR  | 12.5         | J. Colton | 1                     |
| 7                 | 41            | 35      | SESE    | IR  | 0.3          | J. Colton | 1                     |
| 7                 | 41            | 35      | SESE    | IR  | 38.0         | J. Colton | 1                     |
| <b>Total:</b>     |               |         |         |     | <b>159.0</b> |           |                       |

| Township<br>South | Range<br>East | Section | 1/4 1/4 | Use | Acres      | Owner            | Point of<br>Diversion |
|-------------------|---------------|---------|---------|-----|------------|------------------|-----------------------|
| 8                 | 41            | 12      | NENE    | IR  | 2.8        | P. & L. Anderson | 4                     |
| <b>Total:</b>     |               |         |         |     | <b>2.8</b> |                  |                       |

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 a portion of certificates 3999, 4063, 4078, 4079, and 4193.

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.

**M. MARTHA O. PAGEL**

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74042.