

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 275.9 ACRES and WILDLIFE ATTRACTION (W) FOR 3.6 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 1903.

The use is limited to 6.94 CUBIC FEET PER SECOND, being 0.53 cubic feet per second from diversion 2, and not to exceed 6.41 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.

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	I/4 I/4	Use	Acres	Owner	Point of Diversion
8	43	31	SWSE	IR	0.5	M. Dailey	6 & 8
8	43	31	NWSE	IR	33.0	M. Dailey	6 & 8
8	43	32	NWSW	IR	37.7	M. Dailey	6 & 8
8	43	32	SWSW	IR	23.8	M. Dailey	6 & 8
8	43	32	SWNW	IR	4.0	M. Dailey	6 & 8
Total:					99.0		
Township South	Range East	Section	I/4 I/4	Use	Acres	Owner	Point of Diversion
8	43	31	SWSE	IR	3.1	M. Woods	2
8	43	31	NWSE	IR	1.7	M. Woods	2
8	43	31	NWSE	IR	3.1	M. Woods	6 & 8
8	43	31	SWSE	IR	8.7	M. Woods	6 & 8
Total:					16.6		
Township South	Range East	Section	I/4 I/4	Use	Acres	Owner	Point of Diversion
8	43	31	NESW	IR	11.2	Phillips Ranch Inc CP	2
8	43	31	SWSW	IR	2.4	Phillips Ranch Inc CP	2
8	42	36	SENE	IR	2.7	Phillips Ranch Inc CP	2
8	43	31	NESW	IR	25.0	Phillips Ranch Inc CP	6 & 8

8	42	36	SENE	IR	13.6	Phillips Ranch Inc CP	6 & 8
8	43	31	NWSW	IR	17.6	Phillips Ranch Inc CP	6 & 8
					Total:	72.5	

Township South	Range East	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
8	43	32	NESW	W	3.6	T. McGiffin	6 & 8
8	43	32	SESW	IR	25.5	T. McGiffin	6 & 8
8	43	32	SWSE	IR	26.6	T. McGiffin	6 & 8
8	43	32	NWSE	IR	4.0	T. McGiffin	6 & 8
8	43	32	NESW	IR	31.7	T. McGiffin	6 & 8
					Total:	91.4	

This certificate describes that portion of the water right confirmed by Certificates 4318 and 4319, 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 74045.

4319.JS