

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWRY ROBERT & VIRGINIA
HCR 88 BOX 84
BAKER CITY, OR 97814

Confirms the right to use the waters of TUCKER CREEK, a tributary of POWDER RIVER, AND POWDER RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 22.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 4.0 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 1876 for primary irrigation and 1888 for supplemental irrigation.

The use is limited to 0.65 CUBIC FEET PER SECOND, or its equivalent in case of rotation.

The point of diversion is located as follows:

- ▶ ERWIN DITCH - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 34, Township 7 South, Range 41 East, W.M.; 3850 feet North and 100 feet West from the South quarter corner, Section 34.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) 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:

TUCKER CREEK - PRIMARY (1876)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.0 ACRES
SECTION 8

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 ACRES
SECTION 9

TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.

POWDER RIVER - SUPPLEMENTAL (1888)

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 ACRES
SECTION 9
TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 4135, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on DEC 30 1997 approving a petition by the Lower Powder River Irrigation District under ORS 541.329.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose 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 74054.

4135.JS

75869

Superseded by
Cert. No. _____