

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT AND VIRGINIA LOWRY
HCR 88 BOX 84
BAKER CITY, OREGON 97814

confirms the right to use the waters of TUCKER CREEK, a tributary of the POWDER RIVER, for IRRIGATION OF 22.0 ACRES, and the POWDER RIVER, a tributary of the SNAKE RIVER, for SUPPLEMENTAL IRRIGATION OF 16.0 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 amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.95 CUBIC FOOT PER SECOND, being 0.55 cfs from Tucker Creek and 0.40 cfs from the Powder River, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

ERWIN DITCH - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 34, T 7 S, R 41 E, W.M.;
3850 FEET NORTH and 100 FEET WEST from the S $\frac{1}{4}$ corner, Section 34;

15 - TUCKER CREEK - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 17, T 8 S, R 42 E,
W.M. ; 200 FEET SOUTH and 120 FEET WEST from the NE corner,
Section 17.

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 per acre, 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

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

POWDER RIVER - SUPPLEMENTAL

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 16.0 ACRES
SECTION 16
TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.

This certificate is issued to correctly describe the place of use and quantity of water, and supercedes Certificate 74054, State Record of Water Right Certificates.

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,

NOV 02 1922

affixed _____.

15/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75869.

4135.JS/LN.