

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 the POWDER RIVER, a tributary of the SNAKE RIVER, for IRRIGATION (IR) OF 2524.10 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 amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 66.49 CUBIC FEET PER SECOND (CFS), BEING 1.78 CFS FROM DIVERSION 1, 9.62 CFS FROM DIVERSION 2, 19.93 CFS FROM DIVERSION 3, 33.32 CFS FROM DIVERSION 4, AND 1.82 CFS FROM DIVERSION 5, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion is located as follows:

POD 1 - EMELE DITCH - NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 20, T 7 S, R 41 E, W.M.; 450 FEET SOUTH AND 250 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SAID SECTION;

POD 2 - BASCHE DITCH - NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 28, T 7 S, R 41 E, W.M.; 1880 FEET NORTH AND 600 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SAID SECTION;

POD 3 - DUNCAN DITCH - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 34, T 7 S, R 41 E, W.M.; 1050 FEET NORTH AND 2420 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SAID SECTION;

POD 4 - 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 OF SAID SECTION;

POD 5 - CRANSTON DITCH - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 17, T 8 S, R 42 E, W.M.; 880 FEET EAST OF THE W $\frac{1}{4}$ 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	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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	SENW	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 ✓

Township	Range	Section	1/4	1/4	Use	Acres	Owner	Point of Diversion
South	East							
8	41	2	NWSE	W	IR	1.4	A. Jury	3 ✓
8	41	2	NWSE	IR	IR	35.1	A. Jury	3 ✓
						Total:	210.6	

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

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

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

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

Township	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
8	41	1	SENW	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	SENW	IR	17.5	F. Colton	4 ✓
8	41	1	SWNW	IR	31.1	F. Colton	4 ✓
Total:					74.9		

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

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

Township	Range	Section	1/4	1/4	Use	Acres	Owner	Point of Diversion
South	East							
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	Range	Section	1/4	1/4	Use	Acres	Owner	Point of Diversion
South	East							
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	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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 ✓

Township	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
8	42	21	SWNW	IR	40.0	R. Walden	2 ✓
Total: 146.6							

Township	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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	SESW	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	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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	SESW	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	SESW	W	1.3	W. Jury	4 ✓
8	42	7	SWNW	W	0.9	W. Jury	4 ✓
Total: 204.9							

Township	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
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 ✓

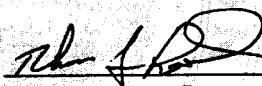
Township	Range	Section	1/4 1/4	Use	Acres	Owner	Point of Diversion
South	East						
8	42	20	NESE	IR	5.5	Wilde Ranch	2 ✓
8	42	20	NENE	IR	1.8	Wilde Ranch	2 ✓
8	42	20	NESE	IR	6.0	Wilde Ranch	2 ✓
8	42	17	SWSE	IR	15.6	Wilde Ranch	2 ✓
8	42	17	SWSE	IR	13.4	Wilde Ranch	5 ✓
8	42	17	SESE	IR	30.7	Wilde Ranch	5 ✓
8	42	17	SESE	IR	6.6	Wilde Ranch	2 ✓
Total:					91.4		

This certificate describes that portion of the water right confirmed by Certificate 74041, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 09 2001, approving Transfer Application 8740.

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 NOV 09 2001.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 77325.