

DC

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PETER W. SCHOENINGH JR.  
P.O. BOX 91  
HAINES, OREGON 97833

confirms the right to use the waters of the NORTH POWDER RIVER, a tributary of POWDER RIVER, for IRRIGATION OF 341.0 ACRES, DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for UNION County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 252. The date of priority is 1887 FOR 67.0 ACRES AND 1890 FOR 274.0 ACRES.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 8.52 CUBIC FEET PER SECOND FROM MARCH 1<sup>ST</sup> TO JULY 1<sup>ST</sup> AND 4.26 CUBIC FEET PER SECOND FROM JULY 1<sup>ST</sup> TO OCTOBER 1<sup>ST</sup>; THE TOTAL QUANTITY DIVERTED DURING EACH IRRIGATION SEASON NOT TO EXCEED 852.5 ACRE-FEET, or its equivalent in case of rotation, measured at the point of diversion from the source (IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION).

The points of diversion are located as follows:

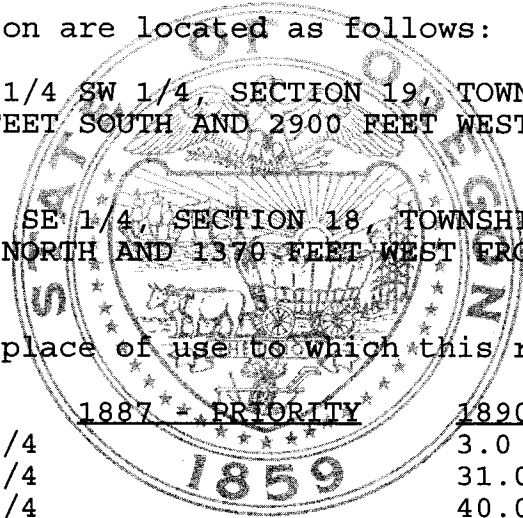
MANSFIELD DITCH - NE 1/4 SW 1/4, SECTION 19, TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.; 3910 FEET SOUTH AND 2900 FEET WEST FROM THE NE CORNER OF SECTION 19; AND

BULGER DITCH - SW 1/4 SE 1/4, SECTION 18, TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.; 730 FEET NORTH AND 1370 FEET WEST FROM THE SE CORNER OF SECTION 18.

A description of the place of use to which this right is appurtenant is as follows:

	1887 - PRIORITY	1890 - PRIORITY
SW 1/4 SW 1/4		3.0 ACRES
SE 1/4 SW 1/4		31.0 ACRES
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4		4.0 ACRES

SECTION 7  
TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.



This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

	<u>1887 - PRIORITY</u>	<u>1890 - PRIORITY</u>
NE 1/4 NE 1/4		13.6 ACRES
NW 1/4 NE 1/4		26.0 ACRES
SE 1/4 NE 1/4		3.0 ACRES
NE 1/4 NW 1/4	9.0 ACRES	31.0 ACRES
NW 1/4 NW 1/4	2.0 ACRES	33.7 ACRES
SW 1/4 NW 1/4	4.0 ACRES	32.1 ACRES
SE 1/4 NW 1/4	33.0 ACRES	7.0 ACRES
NE 1/4 SW 1/4	19.0 ACRES	20.1 ACRES
NW 1/4 SW 1/4		29.5 ACRES

SECTION 18  
TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.


The diversion works shall include a headgate, an in-line flow meter, a weir, or other suitable device for measuring the water and the type and plans of the headgate and measuring device must be approved by the Watermaster before the beginning of construction work and the weir or measuring device be installed under the general supervision of the watermaster.

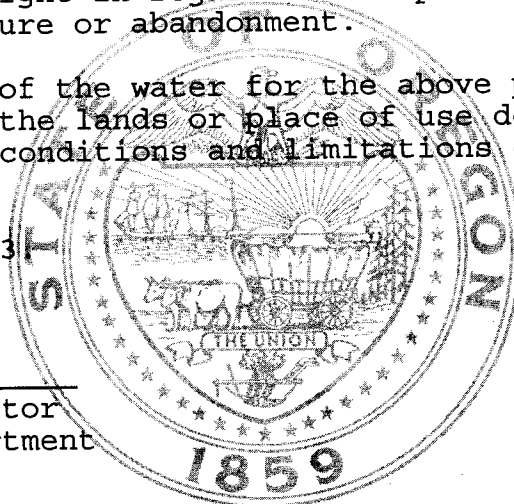
This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered APRIL 3, 1992, and together with Certificate 67251, supersedes Certificate 1505, State Record of Water Right Certificates.

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.

Issued August 27, 2003

  
Paul R. Cleary, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80169.

T-6403&T-6635.SB