

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GORDON O. AND JUDITH L. SCHROEDER
42644 NYE ROAD
BAKER CITY, OREGON 97814

confirms the right to use A WELL, in the POWDER RIVER BASIN for IRRIGATION of 34.9 ACRES.

This right was perfected under Permit G-12610. The date of priority is JANUARY 9, 1995.

The use is limited to 0.44 CUBIC FEET PER SECOND or it's equivalent in case of rotation, measured at the well.

The point of appropriation is located as follows:

SW¼ SE¼, SECTION 2, T 9 S, R 40 E, W.M.; 260 FEET NORTH AND 1380 FEET WEST FROM THE SE CORNER OF SECTION 2.

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-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

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

NW¼ SE¼ 0.9 ACRE
SW¼ SE¼ 34.0 ACRES
SECTION 2
TOWNSHIP 9 SOUTH, RANGE 40 EAST, W.M.

Measurement, recording and reporting conditions:

The water user **SHALL** maintain the meter or other suitable measuring device in good working order

The water user **SHALL** allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

The director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The well **SHALL** be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of these rights may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purposes is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

This certificate confirms an order of the director entered AUG 11 2004, approving transfer application 8304 for a change in Character of use. This Certificate supersedes Certificate 76246.

WITNESS the signature of the Water Resources Director,

affixed AUGUST 11, 2004.



Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80908.