

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELMER D. HILL  
PO BOX 226  
NORTH POWDER, OREGON 97867

confirms the right to use the waters of the NORTH POWDER RIVER, a tributary of the POWDER RIVER, for the purpose of the IRRIGATION OF 8.6 ACRES.

The right has been 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 1870.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a total quantity not to exceed a rate of flow for irrigation of 0.22 cubic foot per second from March 1 to July 1, and 0.11 cubic foot per second from July 1 to October 1 of each year, the total quantity diverted during each irrigation season not to exceed 22.0 acre-feet. (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: LUN DITCH: NE 1/4 SE 1/4, SECTION 28, T 6 S, R 39 E, W.M.; 2600 FEET NORTH AND 440 FEET WEST FROM THE SE CORNER, SECTION 28).

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 22, T 6 S, R 39 E, W.M.; 450 FEET NORTH AND 2320 FEET WEST FROM THE SE CORNER, SECTION 22.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SW 1/4 SE 1/4 8.6 ACRES  
SECTION 22  
TOWNSHIP 6 SOUTH, RANGE 39 EAST, W.M.

The diversion works shall include an in line flow meter, weir, or other suitable device for measuring the water to which the water user is entitled.

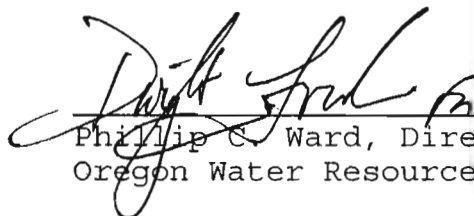
The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and not exceed 0.22 cubic foot per second from March 1 to July 1 and 0.11 cubic foot per second from July 1 to October 1 of each year.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JULY 16, 1984, approving Transfer Application 5483, and together with certificate 52516, supersedes Certificate 1490, State Record of Water Right Certificates.

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 shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed

OCT 06 2006

  
\_\_\_\_\_  
Phillip C. Ward, Director  
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82478