

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 UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

POWDER VALLEY WATER CONTROL DISTRICT
P.O. BOX 189
NORTH POWDER, OREGON 97867

confirms the right to use the waters of ANTHONY CREEK, a tributary of the NORTH POWDER RIVER, for IRRIGATION OF 199.5 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 1898.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a rate of flow of 4.0 cubic feet per second from March 1st to July 1st and 2.49 cubic feet per second from July 1st to October 1st of each year; the total quantity diverted during each irrigation season not to exceed 499 acre feet.

The points of diversion are located as follows:

CARNES DITCH NORTH FORK - SW 1/4 NW 1/4, SECTION 13, as projected in T 6 S, R 37 E, WM; 1795 FEET SOUTH AND 4365 FEET WEST FROM THE NE CORNER, SECTION 13.

CARNES DITCH SOUTH FORK - SW 1/4 NW 1/4, SECTION 13, as projected in T 6 S, R 37 E, WM; 2461 FEET SOUTH AND 4500 FEET WEST FROM THE NE CORNER, SECTION 13.

LONE PINE DITCH - NW 1/4 SW 1/4, SECTION 17, T 6 S, R 39 E, WM; 2400 FEET NORTH AND 100 FEET EAST FROM THE SW CORNER, SECTION 17.

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

NE 1/4 SE 1/4 37.0 ACRES
NW 1/4 SE 1/4 29.0 ACRES
SW 1/4 SE 1/4 29.5 ACRES
SE 1/4 SE 1/4 39.0 ACRES

SECTION 25

TOWNSHIP 6 SOUTH, RANGE 38 EAST, W.M.

NW 1/4 SE 1/4 40.0 ACRES
SW 1/4 SE 1/4 25.0 ACRES

SECTION 30

TOWNSHIP 6 SOUTH, RANGE 39 EAST, W.M.

The quantity of water diverted at the Lone Pine Ditch, together with that diverted at the Carnes Ditch, shall not exceed the quantity of water available at the Carnes Ditch under the subject right.

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 correctly describe the locations of the Carnes Ditch diversions, and supersedes Certificate 79884, 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, affixed

APR 05 2007


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83310.

T-6218 (79884) .LHN