

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, OR 97867

confirms the right to use the waters of Anthony Creek, a tributary of North Powder River, for irrigation of 263.5 acres, livestock and domestic use.

This right was confirmed by decree of the Circuit Court of the State of Oregon 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 use from March 1st to July 1st is limited to:

TRACT	DATE	QUANTITY	TRACT	DATE	QUANTITY	TRACT	DATE	QUANTITY
1	1898	3.20 cfs	2	1898	2.48 cfs	3	1898	0.02 cfs

The use from July 1st to October 1st of each year for all tracts combined is limited to 3.29 cubic feet per second.

The total quantity diverted during each irrigation season not to exceed 2,016.25 acre feet.

The points of diversion are located as follows:

TWP	RNG	MER	SEC	Q40	Q160	POD#	MEASURED DISTANCES
6 S	38 E	WM	13	SE	NW	A-18	CARNES DITCH (NORTH FORK ANTHONY CR.): 4365 FEET WEST AND 1795 FEET SOUTH FROM NE CORNER OF SECTION 13
6 S	38 E	WM	13	SE	NW	A-18A	CARNES DITCH (SOUTH FORK ANTHONY CR.): 4500 FEET WEST AND 2461 FEET SOUTH FROM NE CORNER OF SECTION 13
6 S	38 E	WM	18	NE	NW	A-19	COUGHANOUR DITCH: 2400 FEET EAST AND 1300 FEET SOUTH FROM NW CORNER OF SECTION 18

TWP	RNG	MER	SEC	Q40	Q160	POD#	MEASURED DISTAMCES
6 S	38 E	WM	17	NW	SW	A-20	LONE PINE DITCH: 100 FEET EAST AND 300 FEET SOUTH FROM W¼ CORNER OF SECTION 17

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

TWPS	RNG E	SEC	Q40	Q160	ACRES	DATE	POD	USE	TAX LOT	CERT
TRACT 1										
6	39	25	NE	SE	37.0	1898	A-18 & 20	I*	1700	83310
6	39	25	NW	SE	29.0	1898	A-18 & 20	I*	1700	83310
6	39	25	SW	SE	29.5	1898	A-18 & 20	I*	1700	83310
6	39	25	SE	SE	39.0	1898	A-18 & 20	I*	1700	83310
6	39	30	SW	SE	25.0	1898	A-18 & 20	I*	4301	83310
TRACT 2										
6	39	30	NE	SW	12.7	1898	A-18 & 20	I*	4400	83311
6	39	30	NW	SW	20.5	1898	A-18 & 20	I*	4400/4401	83311
6	39	30	SW	SW	35.0	1898	A-18 & 20	I*	4400	83311
6	39	30	SE	SW	34.0	1898	A-18 & 20	I*	4400	83311
TRACT 3										
5	39	29	NE	SE	1.8	1898	A-18 & 19	IR	2700	83317

Location descriptions are based on the Willamette Meridian.

This certificate describes that portion of the water right confirmed by Certificates 83310, 83311, 83317 issued in the name of Powder Valley Water Control District, and NOT modified by the provisions of an order of the Water Resources Director entered on MAY 17 2011, and recorded in Special Order Volume 84, page 100, approving a petition by the Powder Valley Water Control District under ORS 541.329.

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.


The quantity of water diverted at the new point of diversion together with the quantity of water diverted at the original point of diversion, shall not exceed the quantity of water available at the original point of diversion.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purposes 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.

This certificate together with Certificate 83744 supersedes Certificates 83310 and 83311; and with Certificate 83777 supersedes Certificate 83317.

WITNESS the signature of the Water Resources Director, affixed MAY 17 2011.


Phillip C. Ward, Director