

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PETER W. SCHOENINGH JR
P.O. BOX 2677
FLORENCE, OR 97439

confirms the right to use the waters of NORTH POWDER RIVER, A TRIBUTARY OF THE POWDER RIVER for IRRIGATION OF 14.0 ACRES 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 1874 FOR 7.0 ACRES AND 1881 FOR 7.0 ACRES.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.35 cubic foot per second (cfs) from March 1st to July 1st and 0.18 cfs from July 1st to October 1st of each year; the total quantity diverted during each season not to exceed 35.0 acre-feet, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 S	38 E	WM	32	SW SE	POWERS COMPANY DITCH - 1170' NORTH AND 1730' WEST FROM SE CORNER, SECTION 32
7 S	38 E	WM	5	NW NE	HUTCHINSON/GARDNER MILL RACE - 2760' SOUTH AND 2380' WEST FROM THE E ¹ / ₄ CORNER, SECTION 32

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

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority
6 S	38 E	WM	28	SE SE	7.0	1874
6 S	38 E	WM	33	SE NE	7.0	1881

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 21, 2005, at Special Order Volume 63, Page 118, approving Transfer Application 9714, and together with Certificate 81146, supercedes Certificate 76952, State record of Water Right Certificates.

The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in said decree.

Issued FEB 12 2009


Phillip C. Ward, Director