

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BAKER VALLEY IRRIGATION DISTRICT
 P.O. BOX 127
 BAKER CITY, OREGON 97814

confirms the right to use the waters of POWDER RIVER, a tributary to the SNAKE RIVER for IRRIGATION OF 1646.95 ACRES AND STORAGE OF 350 ACRE FEET OF WATER IN BAKER RESERVOIR.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 14, at Page 390. The date of priority is MARCH 1905.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 41.2 CUBIC FOOT PER SECOND, 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	Measured Distances
10 S	40 E	WM	17	NE NW	MCKITTRICK PUMP - 10 FEET SOUTH AND 1570 FEET EAST FROM THE NW CORNER OF SECTION 17
10 S	40 E	WM	19	NW NE	SMITH DITCH - 945 FEET SOUTH AND 1865 FEET WEST FROM THE NE CORNER OF SECTION 19

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

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

IRRIGATION					
SMITH DITCH					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	40 E	WM	1	NW NE	40.00
9 S	40 E	WM	1	NE NW	20.00
9 S	40 E	WM	1	NW SW	34.70
9 S	40 E	WM	1	SW SW	18.00
9 S	40 E	WM	2	NW NE	40.00
9 S	40 E	WM	10	SW NE	32.00
9 S	40 E	WM	10	NE SE	40.00
9 S	40 E	WM	10	NW SE	40.00
9 S	40 E	WM	10	SW SE	38.20
9 S	40 E	WM	10	SE SE	40.00
9 S	40 E	WM	11	SW NE	40.00
9 S	40 E	WM	11	SE NE	40.00
9 S	40 E	WM	11	NE NW	40.00
9 S	40 E	WM	11	SW NW	40.00
9 S	40 E	WM	11	SE NW	40.00
9 S	40 E	WM	11	NE SW	40.00

IRRIGATION					
SMITH DITCH					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	40 E	WM	11	NW SW	40.00
9 S	40 E	WM	11	SW SW	40.00
9 S	40 E	WM	11	SE SW	40.00
9 S	40 E	WM	11	NE SE	35.00
9 S	40 E	WM	11	NW SE	34.20
9 S	40 E	WM	12	NW NW	22.00
9 S	40 E	WM	12	SW NW	40.00
9 S	40 E	WM	12	SE NW	24.00
9 S	40 E	WM	12	NE SW	35.00
9 S	40 E	WM	12	NW SW	38.00
9 S	40 E	WM	12	SW SW	9.50
9 S	40 E	WM	12	NE SE	8.00
9 S	40 E	WM	12	NW SE	30.00
9 S	40 E	WM	14	NW NE	18.50
9 S	40 E	WM	14	SW NE	15.00
9 S	40 E	WM	14	NE NW	40.00
9 S	40 E	WM	14	NW NW	40.00
9 S	40 E	WM	14	SW NW	40.00
9 S	40 E	WM	14	SE NW	35.50
9 S	40 E	WM	14	NE SW	3.50
9 S	40 E	WM	14	NW SW	23.00
9 S	40 E	WM	14	SW SW	40.00
9 S	40 E	WM	14	SE SW	6.50
9 S	40 E	WM	15	NE NE	40.00
9 S	40 E	WM	15	NW NE	6.80
9 S	40 E	WM	15	SW NE	5.50
9 S	40 E	WM	15	SE NE	9.20
9 S	40 E	WM	15	SE NW	17.00
9 S	40 E	WM	15	NE SW	38.30
9 S	40 E	WM	15	SW SW	7.60
9 S	40 E	WM	15	SE SW	40.00
9 S	40 E	WM	15	NE SE	22.50
9 S	40 E	WM	15	NW SE	31.00
9 S	40 E	WM	15	SW SE	40.00
9 S	40 E	WM	15	SE SE	40.00
9 S	40 E	WM	22	NE NE	21.20
9 S	40 E	WM	22	NW NE	23.20
9 S	40 E	WM	22	NE NW	10.35
9 S	40 E	WM	23	NW NW	20.50
10 S	40 E	WM	8	SE SW	10.50
10 S	40 E	WM	17	NE NW	22.70
Total Acres:					1646.95

This certificate describes that portion of the water right confirmed by Certificate 80460, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 15 2010, approving Transfer Application T-10897.

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 January 15, 2010.


Phillip C. Ward, Director