

STATE OF OREGON

COUNTY OF BAKER

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 ROCK CREEK, tributary to POWDER RIVER for IRRIGATION of 160.0 ACRES.

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 6, at Page 291. The date of priority is 1879. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.0 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
ORIGINAL	7 S	38 E	WM	34	SE NE	FISHER DITCH: NONE GIVEN
ADDITIONAL	7 S	38 E	WM	34	NE SW	ROCK CREEK: 2960 FEET SOUTH & 3040 FEET WEST FROM NE CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second per acre; and shall be subject to all other conditions and limitations contained in said decree.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
7 S	38 E	WM	26	SW NE			40.0
7 S	38 E	WM	26	SE NE			40.0
7 S	38 E	WM	26	NE SE			40.0
7 S	38 E	WM	26	NW SE			40.0

The quantity of water diverted at the new point of diversion, together with that diverted at the Fisher Ditch, shall not exceed the quantity of water available at the Fisher Ditch under the subject right.

The water user shall maintain a headgate, an in-line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled.

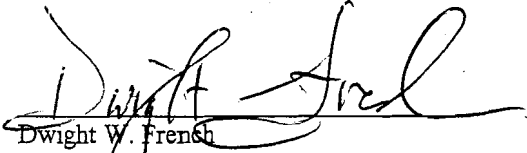
**NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW**

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 an approval of an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered December 29, 1989, at Special Order Volume 43, Page 513, approving Transfer Application 6284, and together with Certificate 63770, supersedes Certificate 4151, 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 is subject to all other conditions and limitations contained in said decree.

Issued JUL 20 2010



Dwight W. French  
Administrator Water Rights and Adjudications, for  
Phillip C. Ward, Director