

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT AND VIRGINIA LOWRY
24428 KEATING GRANGE LN
BAKER CITY OR 97814

confirms the right to use the waters of TUCKER CREEK, tributary to POWDER RIVER for IRRIGATION of 61.0 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 1864 FOR 18 ACRES; 1872 FOR 15 ACRES; 1875 FOR 8 ACRES; 1885 FOR 15 ACRES; AND 1902 FOR 5 ACRES.

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	42 E	WM	4	NW NW	HULICK 1 - 500 FEET SOUTH & 600 FEET EAST FROM NW CORNER, SECTION 4
8 S	42 E	WM	4	NW NW	ADDITIONAL POD - 1100 FEET SOUTH & 590 FEET EAST FROM NW CORNER, SECTION 4
8 S	42 E	WM	4	SW SW	HULICK 2 - 330 FEET NORTH & 1010 FEET EAST FROM SW CORNER, SECTION 4
8 S	42 E	WM	9	NW SW	ERWIN - 2145 FEET NORTH & 600 FEET EAST FROM SW CORNER, SECTION 9

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, or its equivalent for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority
8 S	42 E	WM	4	SW NW	4.5	1864
8 S	42 E	WM	4	NW SW	13.5	1864
8 S	42 E	WM	4	NW SW	8.0	1875
8 S	42 E	WM	4	SW SW	5.0	1902
8 S	42 E	WM	9	NW NW	9.5	1872
8 S	42 E	WM	9	SW NW	5.5	1872
8 S	42 E	WM	9	SW NW	10.0	1885
8 S	42 E	WM	9	NW SW	5.0	1885

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

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

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

When required by the Department, the water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

This certificate is issued to confirm a change an additional point of diversion approved by an order of the Water Resources Director entered December 12, 1997, at Special Order Volume 51, Page 1362, approving Transfer Application 6934, and supersedes Certificate 4240, 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 13 2012


Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director