

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

POCAHONTAS FARMERS' DITCH COMPANY
PO BOX 843
BAKER OR 97814

confirms the right to use the waters of SALMON CREEK, MARBLE CREEK, HIBBARD GULCH, AND MILL CREEK, for IRRIGATION of 6.7 ACRES AND SUPPLEMENTAL IRRIGATION of 427.5 ACRES.

This right was perfected under Permit S-50217. The date of priority is FEBRUARY 11, 1985. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 10.86 CUBIC FEET PER SECOND (CFS), BEING 0.17 CFS FROM SALMON CREEK WHEN AVAILABLE WITH ANY DEFICIENCY TO BE MADE UP BY APPROPRIATION FROM MARBLE CREEK, HIBBARD GULCH AND MILL CREEK IN THAT ORDER FOR IRRIGATION OF 6.7 ACRES; 1.13 CFS FROM MARBLE CREEK, WITH ANY DEFICIENCY TO BE MADE UP BY APPROPRIATION FROM HIBBARD GULCH AND MILL CREEK IN THAT ORDER FOR SUPPLEMENTAL IRRIGATION OF 45.3 ACRES; 1.42 CFS FROM MARBLE CREEK WITH ANY DEFICIENCY TO BE MADE UP BY APPROPRIATION FROM MILL CREEK FOR SUPPLEMENTAL IRRIGATION OF 56.7 ACRES; 8.14 CFS FROM SALMON CREEK WITH ANY DEFICIENCY TO BE MADE UP BY APPROPRIATION FROM HIBBARD GULCH FOR SUPPLEMENTAL IRRIGATION OF 325.5 ACRES, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	38 E	WM	1	NW SE	MILL CREEK - 325 FEET SOUTH AND 2250 FEET WEST FROM E1/4 CORNER, SECTION 1
9 S	39 E	WM	4	SE SW	HIBBARD GULCH - 220 FEET NORTH AND 850 FEET WEST FROM S1/4 CORNER, SECTION 4
9 S	39 E	WM	5	SE SE	SALMON CREEK - 490 FEET NORTH AND 900 FEET WEST FROM SE CORNER, SECTION 5
9 S	39 E	WM	6	SW SW	MARBLE CREEK - 150 FEET NORTH AND 350 FEET EAST FROM SW CORNER, SECTION 6

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, and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR 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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

A description of the place of use is as follows:


IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Sources
9 S	39 E	WM	4	NE SE	6.7	Salmon Creek Hibbard Gulch Marble Creek Mill Creek

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Sources
9 S	39 E	WM	2	NW SW	8.3	Hibbard Gulch Marble Creek Mill Creek
9 S	39 E	WM	2	SW SW	37.0	
9 S	39 E	WM	2	SE SW	31.0	Salmon Creek Hibbard Gulch
9 S	39 E	WM	3	NW SW	20.0	
9 S	39 E	WM	3	SW SW	40.0	
9 S	39 E	WM	3	SE SW	40.0	
9 S	39 E	WM	3	NE SE	40.0	
9 S	39 E	WM	3	NW SE	40.0	
9 S	39 E	WM	4	NW SE	22.8	
9 S	39 E	WM	4	SW SE	33.9	Marble Creek Mill Creek
9 S	39 E	WM	10	NE NE	32.6	Salmon Creek Hibbard Gulch
9 S	39 E	WM	10	NW NE	32.3	
9 S	39 E	WM	10	NE NW	18.5	
9 S	39 E	WM	11	NW NW	31.1	

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued APR 15 2016


 Dwight French
 Water Right Services Division Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department