

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BAKER VALLEY IRRIGATION DISTRICT  
3895 10<sup>TH</sup> ST  
BAKER CITY OR 97814

confirms the right to use the waters of POWDER RIVER, A TRIBUTARY OF THE SNAKE RIVER for WILDLIFE MANAGEMENT; INCLUDING BUT NOT LIMITED TO WETLAND ENHANCEMENT AND MAINTENANCE, WATERFOWL AND OTHER WILDLIFE HABITAT IMPROVEMENT AND MAINTENANCE, WETLAND RELATED WATER QUALITY USES INCLUDING DOWNSTREAM IMPROVEMENTS TO THE BALDOCK SLOUGH, AND INSTREAM AQUATIC HABITAT ENHANCEMENT.

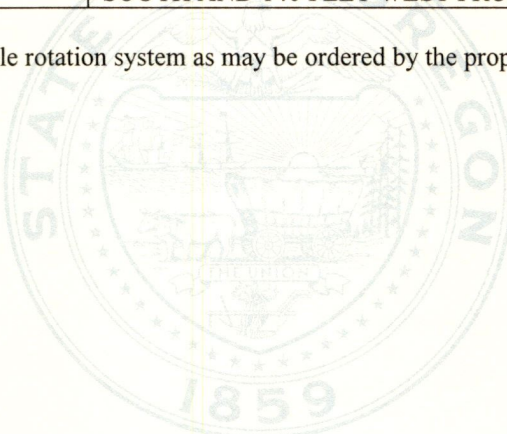
This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 6, at Page 291.

The quantity of water diverted from the POWDER RIVER shall not exceed 8.45 cubic feet per second (CFS) being, 0.63 CFS with a priority date of 1865, 0.39 CFS with a priority date of June 28, 1902, and 7.43 CFS with a priority date of 1902, if available at the authorized points of diversion: SE NW, SECTION 28, NE SE, SECTION 20, T 8 S, R 40 E, W.M.; POINT 30 (TAGGART EAST) – 2650 FEET NORTH AND 1690 FEET EAST FROM THE SW CORNER OF SECTION 28; POINT 31 (PERKINS EAST 2) – 2660 FEET SOUTH AND 140 FEET WEST FROM THE NE CORNER, SECTION 20, or its equivalent in case of rotation, measured at the points of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	40 E	WM	20	NE SE	POD 1(PERKINS EAST 2 BVID #31 POWDER RIVER) – 2660 FEET SOUTH AND 140 FEET WEST FROM NE CORNER, SECTION 20

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.



**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 183.482. 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.



A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
8 S	40 E	WM	9	NE NE
8 S	40 E	WM	9	NW NE
8 S	40 E	WM	9	SW NE
8 S	40 E	WM	9	SE NE
8 S	40 E	WM	9	NE SE
8 S	40 E	WM	9	SW SE
8 S	40 E	WM	9	SE SE
8 S	40 E	WM	10	SW NW
8 S	40 E	WM	10	SE NW
8 S	40 E	WM	10	NE SW
8 S	40 E	WM	10	NW SW
8 S	40 E	WM	10	SW SW
8 S	40 E	WM	10	SE SW
8 S	40 E	WM	10	SW SE
8 S	40 E	WM	16	NE NE
8 S	40 E	WM	16	NW NE
8 S	40 E	WM	16	SW NE
8 S	40 E	WM	16	SE NE

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.

60 days prior to using water each year, the water user shall provide to the Watermaster's office a map, drawn to OAR 690-015-0070 standards, showing which land will be receiving water for that current year. If a suitable map is not presented to the Watermaster's office 60 days before water use begins, the Watermaster may deny water to all lands involved in the transfer, or take appropriate enforcement action against illegal water use. Lands receiving water shall not exceed more than 365.15 acres in any year.

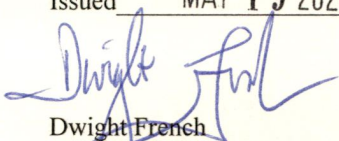
The water user shall implement and maintain a water use monitoring program approved by the Watermaster. Water use data shall be available to the Watermaster promptly on request. The water user shall provide an annual report of water use. Monitoring data shall be provided in an approved summary format by December 31 of each year.

The right to use 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 the decree.

This order is issued to confirm a change in CHARACTER OF USE, PLACE OF USE, AND POINT OF DIVERSION approved by an order of the Water Resources Director entered December 22, 2003, at Special Order Volume 58, Page 448, approving Transfer Application 8604, affecting a portion of Certificate 73405, State record of Water Right Certificates.

The Department will issue a superseding certificate describing the right when it determines that it is necessary for record keeping.

Issued MAY 19 2020.



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