

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER POWDER RIVER IRRIGATION DISTRICT  
PO BOX 965  
BAKER CITY OR 97814

confirms the right to the use of waters as limited and conditioned below. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source.

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 1888.

SOURCE OF WATER: POWDER RIVER, A TRIBUTARY OF SNAKE RIVER

PURPOSE OR USE: IRRIGATION OF 63.7 ACRES

MAXIMUM RATE: 1.59 CUBIC FEET PER SECOND

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	41 E	WM	34	SE NW	DUNCAN DITCH (ORIGINAL) -1050 FEET NORTH AND 2420 FEET EAST FROM W1/4 CORNER, SECTION 34
8 S	42 E	WM	17	SW SE	ADDITIONAL POD - 665 FEET NORTH AND 85 FEET EAST FROM S1/4 CORNER, SECTION 17

The amount of water used, 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 for each acre to which water is applied, during the irrigation season.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	42 E	WM	20	NE NW	35.6
8 S	42 E	WM	20	SE NW	28.1

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, in total shall not exceed the quantity of water lawfully available at the original point of diversion. Water must be available at the original point of diversion before it can be diverted at the new point of diversion.

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.

Water shall be acquired from the same surface water source as the original point of diversion.

**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.

The water user shall begin a diversion monitoring program that shall include the rate and duty of water appropriated and must keep a daily record of how much water is being appropriated at both the old point of diversion and the new additional point of diversion. The flow data shall be available to the Watermaster promptly on request.

The right to use water for the above purposes 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 certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered November 9, 2001, at Special Order Volume 55, Page 1260, approving Transfer Application T- 8740, and together with Certificate 77325, supercedes Certificate 74041, State record of Water Right Certificates.

Issued NOV 19 2021



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