

STATE OF OREGON

COUNTY OF BAKER

ORDER APPROVING AN ADDITIONAL POINT OF DIVERSION

Pursuant to ORS 540.510 TO 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves TRANSFER 6074 submitted by

POWDER VALLEY WATER CONTROL DISTRICT
PO BOX 189
NORTH POWDER, OR 97867

to use the waters of ROCK CREEK, a tributary of the POWDER RIVER, for the purpose of IRRIGATING 960 ACRES.

The right to be transferred was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County as evidenced by certificates 4337 and 4527. The dates of priority are 1880, 1886, 1891, and 1892.

These rights are limited to 8.59 cubic feet per second, or its equivalent in case of rotation, measured at the point of diversion (MAXWELL DITCH).

The additional point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 34, T 7 S, R 38 E, W.M.; 3040 FEET SOUTH AND 3102 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 34,

The amount of water used for irrigation shall be limited to the rate and duty established by the decree of the circuit court for Baker County, dated MARCH 18, 1918.

A description of the place of use is as follows:

PRIORITY DATES: 1880, 1886, 1891, AND 1892

SW 1/4 SE 1/4 40 ACRES
SE 1/4 SE 1/4 40 ACRES
SECTION 13
NE 1/4 NE 1/4 40 ACRES
SE 1/4 NE 1/4 40 ACRES
NE 1/4 SW 1/4 40 ACRES
NE 1/4 SE 1/4 40 ACRES
NW 1/4 SE 1/4 40 ACRES

SECTION 24

TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

SW 1/4 SW 1/4 40 ACRES
SECTION 17
SW 1/4 SW 1/4 40 ACRES
SE 1/4 SW 1/4 40 ACRES
SW 1/4 SE 1/4 40 ACRES
SE 1/4 SE 1/4 40 ACRES

SECTION 18

NE 1/4 NW 1/4 40 ACRES
NW 1/4 NW 1/4 40 ACRES
SW 1/4 NW 1/4 40 ACRES
SE 1/4 NW 1/4 40 ACRES
NE 1/4 SW 1/4 40 ACRES
NW 1/4 SW 1/4 40 ACRES

SECTION 19

TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

PRIORITY DATE 1880

NW 1/4 NE 1/4 40 ACRES
SW 1/4 NE 1/4 40 ACRES
NE 1/4 NW 1/4 40 ACRES
SE 1/4 NW 1/4 40 ACRES
SW 1/4 SE 1/4 40 ACRES

SECTION 24

NW 1/4 NE 1/4 40 ACRES

SECTION 25

TOWNSHIP 7 SOUTH, RANGE 38 EAST, W.M.

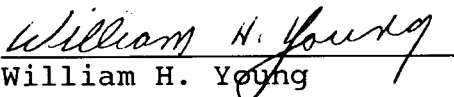
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1991.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion and shall not exceed 8.59 cubic feet per second.
3. The water user shall install and maintain a headgate, an inline 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.

Certificates 4337 and 4527 are canceled. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed December 29, 1989.


William H. Young

Recorded in Special Order Records at Volume 43, page 501.

T-6074.TES