

STATE OF OREGON

COUNTY OF

WALLOWA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **CARL M. BAXTER**

of **Rt. 1, Box 192, Enterprise**, State of **Oregon, 97828**, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of **Alder Creek**

a tributary of **Wallowa River** for the purpose of irrigation of **9.3 acres and supplemental irrigation of 63.0 acres**

under Permit No. **37565** and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **January 2, 1973 for 0.0125 c.f.s., March 5, 1973 for 1.2375 c.f.s.** that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **1.25 cubic feet per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, T. 2 S., R. 44 E., W. M., 10 feet North and 1460 feet West from the N $\frac{1}{2}$ Corner, Section 21**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **3 $\frac{1}{2}$ acre feet per acre** for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Primary
3.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
6.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

Supplemental
28.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
35.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 21
T. 2 S., R. 44 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. **December 19, 1977**

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James E. Sexson

Water Resources Director