

STATE OF OREGON

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, ThatDRY GULCH DITCH COMPANY AND
JERALD L. BEERY

of Richland, State of Oregon 97870, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Eagle Creek

a tributary of Powder River for the purpose of irrigation of 2224.95 acres

under Permit No. E16 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 July 22, 1909

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 27.81 cubic feet per second, being 27.744 cfs to Dry Gulch Ditch Company and 0.066 cfs to Jerald L. Beery, if available at the original point of diversion; NE 1/4 NW 1/4, Section 20, T8S, R45E, WM, (Dry Gulch Ditch)

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 SW 1/4, Section 33, T8S, R45E, WM, Waterbury Allen Ditch - 1250 feet North and 2480 feet East from SW Corner, Section 33.

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-eightieth~~ of one cubic foot per second per acre, or its equivalent in case of rotation

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:

<u>DRY GULCH DITCH COMPANY</u>	
20.00 acres NE 1/4 NE 1/4	29.00 acres NW 1/4 NW 1/4
6.00 acres NW 1/4 NE 1/4	29.45 acres SW 1/4 NW 1/4
36.00 acres SE 1/4 NE 1/4	15.20 acres NW 1/4 SW 1/4
38.00 acres NE 1/4 SE 1/4	29.00 acres SW 1/4 SW 1/4
5.00 acres NW 1/4 SE 1/4	Section 10
26.00 acres SE 1/4 SE 1/4	
Section 9	

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18.00 acres NW 1/4 NW 1/4
 33.00 acres SW 1/4 NW 1/4
 39.00 acres NW 1/4 SW 1/4
 40.00 acres SW 1/4 SW 1/4
 Section 15

16.00 acres NE 1/4 SW 1/4
 35.00 acres SW 1/4 SW 1/4
 40.00 acres SE 1/4 SW 1/4
 16.00 acres NE 1/4 SE 1/4
 22.00 acres NW 1/4 SE 1/4
 34.00 acres SW 1/4 SE 1/4
 17.00 acres SE 1/4 SE 1/4
 Section 16

1.50 acres SW 1/4 NE 1/4
 26.00 acres SE 1/4 NE 1/4
 10.00 acres NE 1/4 NW 1/4
 3.50 acres NW 1/4 NW 1/4
 34.00 acres SW 1/4 NW 1/4
 34.00 acres SE 1/4 NW 1/4
 38.00 acres NE 1/4 SW 1/4
 38.00 acres NW 1/4 SW 1/4
 19.00 acres SW 1/4 SW 1/4
 38.00 acres SE 1/4 SW 1/4
 20.00 acres NE 1/4 SE 1/4
 35.00 acres NW 1/4 SE 1/4
 40.00 acres SW 1/4 SE 1/4
 22.00 acres SE 1/4 SE 1/4
 Section 17

7.00 acres NE 1/4 NE 1/4
 18.00 acres NW 1/4 NE 1/4
 32.00 acres SW 1/4 NE 1/4
 35.00 acres SE 1/4 NE 1/4
 20.00 acres NE 1/4 NW 1/4
 10.00 acres NW 1/4 NW 1/4
 40.00 acres SW 1/4 NW 1/4
 40.00 acres SE 1/4 NW 1/4
 21.00 acres SW 1/4 SW 1/4
 22.00 acres SE 1/4 SW 1/4
 33.00 acres NE 1/4 SE 1/4
 35.00 acres SE 1/4 SE 1/4
 Section 18

25.00 acres NE 1/4 NE 1/4
 6.00 acres NW 1/4 NE 1/4
 30.00 acres SE 1/4 NE 1/4
 30.00 acres NE 1/4 SE 1/4
 10.00 acres SE 1/4 SE 1/4
 Section 19

8.00 acres NE 1/4 NE 1/4
 40.00 acres NW 1/4 NE 1/4
 38.00 acres SW 1/4 NE 1/4
 10.00 acres SE 1/4 NE 1/4
 37.00 acres NE 1/4 NW 1/4
 25.00 acres NW 1/4 NW 1/4
 32.00 acres SW 1/4 NW 1/4
 40.00 acres SE 1/4 NW 1/4
 22.00 acres NE 1/4 SW 1/4
 20.00 acres NW 1/4 SW 1/4
 15.00 acres SW 1/4 SW 1/4
 15.00 acres SE 1/4 SW 1/4
 34.00 acres NW 1/4 SE 1/4
 40.00 acres SW 1/4 SE 1/4
 Section 20

40.00 acres NE 1/4 NE 1/4
 20.00 acres NW 1/4 NE 1/4
 40.00 acres SW 1/4 NE 1/4
 40.00 acres NE 1/4 NW 1/4
 22.00 acres NW 1/4 NW 1/4
 4.00 acres SW 1/4 NW 1/4
 24.00 acres SE 1/4 NW 1/4
 Section 21

16.00 acres NW 1/4 NW 1/4
 Section 22

40.00 acres NW 1/4 NW 1/4
 40.00 acres SE 1/4 NW 1/4
 7.00 acres NW 1/4 SW 1/4
 24.00 acres SW 1/4 SW 1/4
 Section 28

30.00 acres NE 1/4 NE 1/4
 40.00 acres NW 1/4 NE 1/4
 23.00 acres SW 1/4 NE 1/4
 28.00 acres NW 1/4 NW 1/4
 26.00 acres NW 1/4 SE 1/4
 10.00 acres SE 1/4 SE 1/4
 Section 29

11.00 acres NE 1/4 NE 1/4
 14.00 acres NW 1/4 NE 1/4
 Section 30

Township 9 S., Range 45 E., WM

10.00 acres NE 1/4 SW 1/4
 4.00 acres NW 1/4 SW 1/4
 4.00 acres SW 1/4 SW 1/4
 10.00 acres SE 1/4 SW 1/4
 Section 13

Township 9 S., Range 44 E., WM

JERALD L. BEERY
5.3 acres SW 1/4 NW 1/4
Section 10
Township 9 S., Range 45 E., WM

This certificate is issued to correctly describe the quantity of water and the place of use and supersedes certificate of water right recorded at page 49627, Volume 43, State Record of Water Right Certificates and is issued to confirm the change in point of diversion approved by an order of the Water Resources Director entered June 11, 1980 and supersedes certificate 7424.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. April 25, 1985

.../s/... William H. Young.....
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 48 , page 52934