Court—21811—500—7-23.

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, *That* DURKEE MERCANTILE COMPANY

of Durkee , *State of* Oregon *has a right to the use of*

the waters of Durkee Creek, tributary of Burnt River, for Tract #1; Buckhorn Third Kidd & Tedrow Gulches, Frenchy Creek, for Tract #2;

for the purpose of Irrigation for Tract #1; Mining for Tract #2;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Baker *County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume* 8 , *at page* 134 ; *that the priority of the right thereby confirmed dates from* 1901 for Tract #1; 1902 for Tract #2.

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed Five cubic feet per second for mining purposes, and three acre feet per acre during any irrigation season (with the further limitations contained in Paragraph 64 of said decree);

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract #1.

Seven (7) acres in the Southeast Quarter of the Southeast Quarter (SE¼SE¼) of Section Twenty (20), Township Eleven (11) South, Range Forty-three (43) East of the Willamette Meridian.

Tract #2.

Place of use in Sections Twenty-one (21), and Twenty-eight (28), Township Twelve (12) South, Range Forty-three (43) East of the Willamette Meridian.

Also as decreed and adjudicated by Decree of Circuit Court entered June 5, 1925 re: Oregon vs Oregon as set forth on page 522

And said right shall be subject to all other conditions and limitations contained in said decree.

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

WITNESS the signature of the State Engineer, affixed this 21st *day of* January , *192* 6.

RHEA LUPER
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 6 , *page* 5872