

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH M. ERREND
1908 JUPITER WAY
LAGRANDE, OREGON 97850

confirms the right to use the waters of BEAVER CREEK, a tributary of POWDER RIVER, for the purpose of IRRIGATING 37.5 ACRES.

The right has been 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 JANUARY 21, 1873 FOR TRACT 1, 1889 FOR TRACT 2, AND 1898 FOR TRACT 3.

The right is limited to not more than 0.94 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION; GARD DITCH 1, NE 1/4 NW 1/4, SECTION 21 AND GARD DITCH 2, NE 1/4 SE 1/4, SECTION 17, T 10 S, R 40 E, W.M.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 17, T 10 S, R 40 E, W.M.; 1020 FEET NORTH AND 460 FEET WEST FROM SE CORNER OF SECTION 17.

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 during the irrigation season of each year.

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

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	TRACT 1	TRACT 2	TRACT 3
SW 1/4 SW 1/4	12.0 ACRES	5.6 ACRES 0.5 ACRE	
SECTION 16			
NE 1/4 SE 1/4			0.5 ACRE
SE 1/4 SE 1/4			5.1 ACRES
SECTION 17			
NW 1/4 NW 1/4		12.4 ACRES	0.3 ACRE
SW 1/4 NW 1/4			1.1 ACRES
SECTION 21			

TOWNSHIP 10 SOUTH, RANGE 40 EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered JUNE 8, 1979, and together with certificate 48329, supersedes certificate 4159, State Record of Water Right Certificates.

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 above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date FEBRUARY 24, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60408

T-3023B.BE