

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

A.L. LAVIRES
PLEASANT VALLEY, OREGON 97814

confirms the right to use the waters of (SEE BELOW) for IRRIGATION AND MINING.

This right was 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 8, at Page 134.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed THREE ACRE FEE PER ACRE DURING ANY IRRIGATION FOR IRRIGATION, WITH FURTHER LIMITATIONS CONTAINED IN PARAGRAPH 64 OF SAID DECREE; SEE BELOW FOR MINING, or its equivalent in case of rotation, measured at the point of diversion from the source.

A description of the priority, quantity of water, use, source of water, and place of use to which this right is appurtenant is as follows:

<u>PRIORITY</u>	<u>USE</u>	<u>DITCH</u>	<u>STREAM</u>	<u>PLACE OF USE</u>
1863	IRRIGATE	O.T. ELLIOTT 1	ALDER CREEK AND EAST TRIBUTARY	NW¼ NE¼ 4.0 ACRES SECTION 2 TOWNSHIP 11 SOUTH, RANGE 41 EAST, W.M. NE¼ SW¼ 13.0 ACRES SE¼ SW¼ 15.0 ACRES SW¼ SE¼ 12.0 ACRES SECTION 35 TOWNSHIP 10 SOUTH, RANGE 41 EAST, W.M.
1906	4 CFS MINING	WEST SIDE	DARK CANYON	COMSTOCK AND PORCUPINE PLACER MINES SECTIONS 5, 6, 8, & 9 TOWNSHIP 12 SOUTH, RANGE 41 EAST, W.M.
1900	2 CFS MINING	EAST SIDE	DARK CANYON	COMSTOCK AND PORCUPINE PLACER MINES SECTIONS 5, 6, 8, & 9 TOWNSHIP 12 SOUTH, RANGE 41 EAST, W.M.

NOTE: Land in SW¼ SE¼, Section 35, has supplemental irrigation from East Tributary through Kennedy Ditch constructed in 1910, also through Elliott Ditch 1 under date of 1875.

This certificate describes that portion of the water right confirmed by Certificate 5955, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 14 1997, approving Transfer Application 7469.

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 is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed NOV 14 1997.

15/ G. Huntington for
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75258.

T-7469.LHN