

STATE OF OREGON  
 COUNTY OF BAKER  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH ERRAND  
 PO BOX 1107  
 BAKER CITY OR 97814

confirms the right to use the waters of DEER CREEK, tributary to POWDER RIVER for IRRIGATION of 20.0 ACRES.

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 6, at Page 291. The date of priority is 1880.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	38 E	WM	5	SW SW	ADDITIONAL - 1053 FEET NORTH AND 764 FEET EAST FROM SW CORNER, SECTION 5
10 S	38 E	WM	8	SE SE	JONES AND COOK DITCH (ORIGINAL) - 66 FEET NORTH AND 200 FEET WEST FROM SE CORNER, SECTION 8

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-FORTIETH of one cubic foot per second per acre, or its equivalent in case of rotation, measured at the point of diversion.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	38 E	WM	8	NE SE	9.6
10 S	38 E	WM	8	SE SE	10.4

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original point of diversion.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

When required by the Department, the water user shall operate and maintain the headgate and measuring device, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

Water shall be acquired from the same surface water source as the original point of diversion.

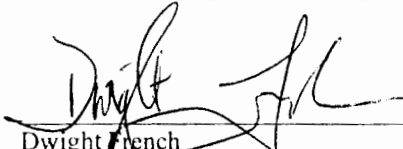
**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVISION approved by an order of the Water Resources Director entered July 7, 1998, at Special Order Volume 52, Page 652, approving Transfer Application 6577, and together with Certificate 74095, supercedes Certificate 72486, State Record of Water Right Certificates.

Issued APR 24 2015

  
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Dwight French  
Administrator Water Right Services Division, for  
Thomas M. Byler, Director  
Oregon Water Resources Department