

Name KENNETH M. ERREND

By _____

Address 1908 JUPITER WAYLAGRANDE, OR 97850Change in POD & POUDate filed APRIL 24, 1974Date of hearing May 23, 1979Place of hearing BakerDate of order 5-31-79 Vol. 32, page 191Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued JUL 23 1979 Vol. 41, page 48328JUL 23 1979 Vol. 41, page 48329FEB 24 1989 60407FEB 24 1989 60408

See also pending appl # 51869

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream Beaver Cr.Trib. of Powder Riv. County of BakerUse Irr.

Quantity of water _____ No. of acres _____

Name of ditch Gard Ditches Nos. 1 & 2Date of priority 1882, 1873, 1889, 1898

In name of _____

Powder Riv. Adjudication, Vol. 6, page 381App. No. _____ Per. No. _____ Cert. No. 4118

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
4-24-74	32.20	39708
3-1-79	63 ⁰⁰ 22.00	9396
TOTAL . . .		
4-30-79	#4 Cert. Fee	Transfr 39708

The Record Courier \$26.60 pd 4/30/79 ckr 3362

FEES REFUNDED

Date	Amount	Check No.
4-30-79	20 ⁰⁰	3363

EX 15-
POD 15-
POU 14-
Cert 4-
PON 26.60
74.60

32.20
63-
9396
74.60
20.60

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>OK</u>	_____
<input checked="" type="checkbox"/> Stream	<u>OK</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>OK</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>OK</u>	_____
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Trwp. & Rge.	<u>OK</u>	_____
<input checked="" type="checkbox"/> Decree-vault	<u>OK</u>	_____
<input checked="" type="checkbox"/> Decree-safe	<u>OK</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>OK</u>	_____
<input checked="" type="checkbox"/> Per. Folder	_____	_____
<input checked="" type="checkbox"/> Chainindex	_____	_____
<input checked="" type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	<u>OK</u>	_____
<input checked="" type="checkbox"/> Abstracts	<u>OK</u>	_____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BAKER COUNTY

IN THE MATTER OF THE APPLICATION)
OF KENNETH M. ERREND FOR APPROVAL)
OF CHANGES IN PLACE OF USE AND)
POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3023

On April 24, 1974, an application was filed in the office of the Water Resources Director by Kenneth M. Errend for approval of changes in place of use and point of diversion of water from Beaver Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 4118, Volume 5, State Record of Water Right Certificates, in the name of Geo. P. Dyke, describes a right which includes the use of not to exceed 0.20 cubic foot per second from Beaver Creek for irrigation of a certain 8.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 10 South, Range 40 East, W.M., with a date of priority of 1882.

The authorized point of diversion of record for said right is through Gard Ditch No. 2 from a point located 1700 feet North and 1300 feet West from the Southeast Corner of Section 17, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, Township 10 South, Range 40 East, W.M.

The certificate recorded at page 4159, Volume 5 of said record, in the name of Amos Gard, describes a right which includes the use of not to exceed 1/40th cubic foot per second per acre from Beaver Creek for irrigation of a certain 8.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 9.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 19.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 10 South, Range 40 East, W.M., with dates of priority of January 21, 1873 for 12.0 acres, 1889 for 18.5 acres and 1898 for 7.0 acres.

The authorized point of diversion of record for said right is through Gard Ditch No. 1 from a point located 330 feet South and 1760 feet East from the Southeast Corner of said Section 17, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 10 South, Range 40 East, W.M., and through Gard Ditch No. 2 as described above.

The applicant herein, owner of the lands above described, proposes to change from the above described places of use and points of diversion and to hereafter irrigate a certain 8.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, under a priority date of 1882; 12.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, under a priority date of January 21, 1873; 2.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, and 15.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 21, under a priority date of 1889; 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, 1.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, under a priority date of 1898; diverting water for said lands from Beaver Creek from a point located 950 feet North and 450 feet West from the Southeast Corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, all within Township 10 South, Range 40 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Record-Courier, a newspaper printed and having general circulation in Baker County, Oregon, for a period of three weeks in the issues of March 29; April 5 and 12, 1979.

Mr. V. Kent Searles, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old points of diversion under the subject rights.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

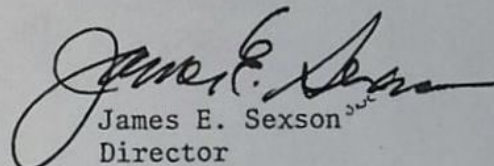
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that NO time need be fixed for completion as the changes in place of use and point of diversion are completed.

It is FURTHER ORDERED that the certificates recorded at pages 4118 and 4159, Volume 5, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of

this order, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 8th day of June, 1979.


James E. Sexson
Director

AFFIDAVIT OF PUBLICATION

Public Notice

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3023

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Kenneth M. Errend for approval of changes in place of use and point of diversion of water from Beaver Cr., pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 4118, Volume 5, State Record of Water Right Certificates, in the name of Geo. P. Dyke, describes a right which includes the use of not to exceed 0.20 cubic foot per second from Beaver Creek for irrigation of a certain 8.0 ac in NE 1/4 SW 1/4 of Sec. 17, T 10S, R 40E, WM, with a date of priority of 1882.

The authorized point of diversion of water from said right is through Gard Ditch No. 2, from a point located 1700 ft N and 1300 ft W from the SE Corner of Sec 17, being within the NE 1/4 SE 1/4 of said Sec 17.

The certificate recorded at page 4159, Volume 5 of said record, in the name of Amos Gard, describes a right which includes the use of not to exceed 1/40th c.f.s. per acre from Beaver Cr. for irrigation of a certain 8.5 ac in NE 1/4 SW 1/4, 9.8 ac in NE 1/4 SE 1/4 and 19.2 ac in NW 1/4 SE 1/4 of Sec 17, T 10S, R 40E, WM, with dates of priority of Jan. 21, 1873 for 12.0 ac, 1889 for 18.5 ac and 1898 for 7.0 ac.

The authorized p.o.d. of water for said right is through Gard Ditch No. 1, from a point located 330 ft S and 1760 ft E from the SE Corner of said Sec 17, being within the NE 1/4 NW 1/4 of Sec 21, T 10S, R 40E, WM; and through Gard Ditch No. 2 as described above.

The applicant herein, owner of the lands above described, proposes to change from the above described places of use and points of diversion and to hereafter irrigate a certain 8.0 ac in SE 1/4 SE 1/4 of Sec 17, under a priority date of 1882; 12.0 ac in SW 1/4 SW 1/4 of Sec 16, under a priority date of Jan. 21, 1873; 2.3 ac in SW 1/4 SW 1/4 and 1.0 ac in SE 1/4 SW 1/4 of Sec 16, and 15.2 ac in NW 1/4 NW 1/4 of Sec 21, under a priority date of 1889; 4.0 ac in SE 1/4 SE 1/4 of Sec 17, 1.0 ac in NW 1/4 NW 1/4 and 2.0 ac in SW 1/4 NW 1/4 of Sec 21, under a priority date of 1898; diverting water for said lands from Beaver Cr. from a point located 950 ft N and 450 ft W from the SE Corner of Sec 17, being within the SE 1/4 SE 1/4 of Sec 17, all within T 10S, R 40E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Baker, Oregon on May 23, 1979 at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be

prepared in writing: one copy to be served on Kenneth M. Errend, 1908 Jupiter Way, LaGrande, OR 97850; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Dept. upon request.

Dated at Salem, Oregon this 22nd day of March, 1979.

JAMES E. SEXON

Director

(13-15)

County of Baker, ss.

C. Brinton

, being first duly sworn,

that I am the owner - printer of a newspaper, which is a weekly newspaper of general circulation published in Baker, in said county and state; that it is made up of at least four pages of five and of at least 17 3/4 inches in depth of type and this newspaper was regularly and uninterrupted-

ly published once each week for at least twelve consecutive months immediately preceding the first publication of the attached Notice of Water Right Transfer

Application No. 3023

and has more than 200 bona fide subscribers within said county; that the Notice of Water Right Transfer

Application No. 3023

of which the one hereto attached is a true and correct copy as printed, was published in the regular and entire issue of said newspaper and not in any supplement thereof, once each week for 3 successive and consecutive weeks, being published 3 times, commencing with the issue dated the 29th day of March, 1979, and ending with the issue dated the 12th day of April, 1979.

That the amount of charge actually made and to be collected by such newspaper for such publication is \$ 26.60

Subscribed and sworn to before me this 13th day of April, 1979.

Notary Public for Oregon.

My commission expires June 6, 1981.

RECEIVED

APR 18 1979

WATER RESOURCES DEPT.
SALEM, OREGON

AFFIDAVIT OF PUBLICATION

Public Notice

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3023

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The authorized point of diversion of water from said right is through Gard Ditch No. 2, from a point located 1700 ft N and 1300 ft W from the SE Corner of Sec 17, being within the NE 1/4 SE 1/4 of said Sec 17.

The certificate recorded at page 4159, Volume 5 of said record, in the name of Amos Gard, describes a right which includes the use of not to exceed 1/40th c.f.s. per acre from Beaver Cr. for irrigation of a certain 8.5 ac in NE 1/4 SW 1/4, 9.8 ac in NE 1/4 SE 1/4 and 19.2 ac in NW 1/4 SE 1/4 of Sec 17, T 10S, R 40E, WM, with dates of priority of Jan. 21, 1873 for 12.0 ac, 1889 for 18.5 ac and 1898 for 7.0 ac.

The authorized p.o.d. of water for said right is through Gard Ditch No. 1, from a point located 330 ft S and 1760 ft E from the SE Corner of said Sec 17, being within the NE 1/4 NW 1/4 of Sec 21, T 10S, R 40E, WM; and through Gard Ditch No. 2 as described above.

The applicant herein, owner of the lands above described, proposes to change from the above described places of use and points of diversion and to hereafter irrigate a certain 8.0 ac in SE 1/4 SE 1/4 of Sec 17, under a priority date of 1882; 12.0 ac in SW 1/4 SW 1/4 of Sec 16, under a priority date of Jan. 21, 1873; 2.3 ac in SW 1/4 SW 1/4 and 1.0 ac in SE 1/4 SW 1/4 of Sec 16, and 15.2 ac in NW 1/4 NW 1/4 of Sec 21, under a priority date of 1889; 4.0 ac in SE 1/4 SE 1/4 of Sec 17, 1.0 ac in NW 1/4 NW 1/4 and 2.0 ac in SW 1/4 NW 1/4 of Sec 21, under a priority date of 1898; diverting water for said lands from Beaver Cr. from a point located 950 ft N and 450 ft W from the SE Corner of Sec 17, being within the SE 1/4 SE 1/4 of Sec 17, all within T 10S, R 40E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Baker, Oregon on May 23, 1979 at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be

State of Oregon, County of Baker, ss.

I, Byron C. Brinton, being first duly sworn,

depose and say that I am the owner - printer of The Record-Courier, which is a weekly newspaper of general circulation published in Baker, in said county and state; that such newspaper is made up of at least four pages of five columns each and of at least 17 3/4 inches in depth of type matter; that such newspaper was regularly and uninterruptedly published once each week for at least twelve consecutive months immediately preceding the first publication of the attached Notice of Water Right Transfer

Application No. 3023

and has more than 200 bona fide subscribers within said county; that the Notice of Water Right Transfer

Application No. 3023

of which the one hereto attached is a true and correct copy as printed, was published in the regular and entire issue of said newspaper and not in any supplement thereof, once each week for 3 successive and consecutive weeks, being published 3 times, commencing with the issue dated the 29th day of March, 1979, and ending with the issue dated the 12th day of April, 1979.

That the amount of charge actually made and to be collected by such newspaper for such publication is \$ 26.60.

Byron C. Brinton

Subscribed and sworn to before me this 13th day of April, 1979.

Babae Lee Shema

Notary Public for Oregon.

My commission expires June 6, 1981.

RECEIVED

APR 18 1979

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That GEO. P. DYKE
of Baker, State of Oregon has a right to the use of
the waters of Beaver Creek, tributary of Powder River, and Powder River, a
tributary of Snake River
for the purpose of the irrigation of 93 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
County, and the said decree entered of record at Salem, in the Order
Record of the STATE WATER BOARD of the State of Oregon, in Volume 6, at page 291;
that the priority of the right thereby confirmed dates from 1882 for 8 acres and May 6,
1891 for 85 acres

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 $\frac{1}{40}$ of one cubic foot
per second per acre; and shall be subject to all other conditions and limitations
contained in said decree

A description of the lands irrigated under such right, and to which the water is appur-
tenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:
8 acres in the Northeast quarter of Southwest quarter; 5 acres in the
Northeast quarter of Southwest quarter; 40 acres in the Northwest quarter of
Southwest quarter and 40 acres in the Southwest quarter of Southwest quarter of
Section Seventeen, Township Ten South, Range Forty East of Willamette Meridian,
in Baker County, Oregon.

Dyke, Geo. P. Baker, Oregon 7-3023 APOD	1882	8	Irrigation	Beaver	Beaver	8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
	May 6 1891	85		Wood- McPherson	Creek Powder	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 T. 10 S. R. 40 E.W.M.

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of February, 1923

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTIER
Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 4118.

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That AMOS GARD

of Baker, State of Oregon has a right to the use of

the waters of Beaver Creek, tributary of Powder River

for the purpose of the irrigation of ~~45.6~~ ^{8.1} acres of land

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 WATER BOARD of the State of Oregon, in Volume 6, at page 291; that the priority of the right thereby confirmed dates from January 21, 1873 for 18 acres, 1889 for 26.6 acres and 1898 for 7 acres

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 1/40 of one cubic foot per second per acre; and shall be subject to all other conditions and limitations contained in 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:

8.5 acres in the Northeast quarter of Southwest quarter; 17.9 acres in the Northeast quarter of Southeast quarter and 19.2 acres in the Northwest quarter of Southeast quarter, of Section Seventeen, Township Ten South, Range Forty East of Willamette Meridian, in Baker County, Oregon.

Gard, Amos Baker, Oregon (Findings #20) T-10 S. R-40 E. W.M.	Jan. 21	12	Irrigation	Gard #1 & 2	Beaver Creek	8.5 acres in NE 1/4 SW 1/4	18.5
	1873	26.6				17.9 acres in NE 1/4 SE 1/4	9.5
	1889	7				19.2 acres in NW 1/4 SE 1/4	19.2
	1898					Section 17 T. 10 S. R. 40 E. W.M.	37.5

T-3023

see adj. map

8.1 acres NE 1/4 SE 1/4
Section 17
T-10 S., R-40 E., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4159, Volume 5, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 8, 1979, approving transfer application No. 3023.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of February, 1923

STATE WATER BOARD

(Seal of State Water Board)

By MERGY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 25, page 4159.

48329

60408

P.O.D. NESE Sec 17 T-10 S R-40 E W.M.
Gard Ditch No 2 - 1700' N E 1300' W from the SE cor Sec 17

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That GEO. P. DYKE
of Baker, State of Oregon has a right to the use of
the waters of Beaver Creek, tributary of Powder River, and Powder River, a
tributary of Snake River for the purpose of the irrigation of 85.0 acres of land

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 WATER BOARD of the State of Oregon, in Volume 6, at page 291;
that the priority of the right thereby confirmed dates from 1882 for 8 acres and May 6,
1891 for 85 acres
1891

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 1/40 of one cubic foot
per second per acre; and shall be subject to all other conditions and limitations
contained in said decree

A description of the lands irrigated under such right, and to which the water is appur-
tenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:
8 acres in the Northeast quarter of Southwest quarter; 5 acres in the
Northeast quarter of Southwest quarter; 40 acres in the Northwest quarter of
Southwest quarter and 40 acres in the Southwest quarter of Southwest quarter of
Section Seventeen, Township Ten South, Range Forty East of Willamette Meridian,
in Baker County, Oregon.

Dyke, Geo. P. Baker, Oregon 7-3023 APO	1882	8	Irrigation	Beaver	Beaver	8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
	May 6 1891	85		Wood- McPherson	Creek Powder	5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17 T. 10 S. R. 40 E. W.M.

5.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 17
T. 10 S., R. 40 E., W.M.

This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 4118, Volume 5, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on June 8, 1979, approving transfer application No. 3023.

The issuance of this superseding certificate does not confirm the status of the
water right in reference to ORS 540.610.

of February, 192 3

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 4118

48328

60407

POD SWNE Sec 19 T10S R40E W1M

OK Cont
AE

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

AMOS GARD

of Baker
a right to the use of the waters of
Beaver Creek

, State of Oregon, 97814 , has

a tributary of Powder River
irrigation of 8.1 acres

for the purpose of

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 WATER RESOURCES DIRECTOR, in Volume 6 , at page 291 ; that the priority of the
right thereby confirmed dates from 1889 - 1873 tract 1, 1889 - Tract 2, 1898 - Tract 3

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 1/40th of one cubic
foot per second per acre. if available 0.94 cfs

The point of diversion is located in the NE 1/4 SE 1/4, Section 17, T. 10 S., R. 40 E., W. M.,
Gard Ditch No. 2 - 1700 feet North and 1300 feet West from the SE Corner,
Section 17

Now SE SE Sec 17 1020 N & 60 W from SE cor Sec 17
A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

8.1 acres NE 1/4 SE 1/4
Section 17
T. 10 S., R. 40 E., W. M.

1 clause
This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 4159, Volume 5, State Record of Water Right Cert-
ificates, NOT modified by the provisions of an order of the Water Resources
Director entered on June 8, 1979, approving transfer application No. 3023.

The issuance of this superseding certificate does not confirm the status of the
water right in reference to ORS 540.610.

Tract 1
SWSW 12.0 ✓
Sec 16 ✓

Tract 2
SWSW 5.6 ✓
SE SW Sec 16 3.0 ✓
~~NESE 0.5~~
~~SE 17~~
NW NW 12.4 ✓
Sec 21

Tract 3
NESE 240.5 ✓
SESE 505.1 ✓
Sec 17
NW NW 0.3 ✓
SW NW 1.1 ✓
Sec 21

1873 12.0
1889 18.5
1898 7.0
37.5

T. 10 S., R. 40 E., W. M.

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 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 July 23 , 1979 .

James E. Session
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41 , page 48329

T-3023 B (not tied to same original cert as T-3023A) T-3023A does not refer
to T-3023 B or vice versa

OK G +
AE

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

~~Errand~~
GEO. P. DYKEof ~~Baker~~ *La Grange*, State of ~~Oregon~~ *97850*, has
a right to the use of the waters of ~~Powder River~~ *Beaver Cr*a tributary of ~~Snake River~~ *Powder R* for the purpose of
irrigation of ~~85.0~~ *8.0* acresand 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 WATER RESOURCES DIRECTOR, in Volume 6, at page 291; that the priority of the
right thereby confirmed dates from ~~May 6, 1897~~ *1882*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 1/40th of one cubic
foot per second per acre;The point of diversion is located in the ~~SW 1/4 NE 1/4~~ *SE SE*, Section ~~19~~ *17*, T. 10 S., R. 40 E., W. M.A description of the place of use under the right, and to which such right is appurtenant, is as
follows:*8.0* ~~5.0~~ acres *SE SE* NE 1/4 SW 1/4
40.0 acres NW 1/4 SW 1/4
40.0 acres SW 1/4 SW 1/4
Section 17
T. 10 S., R. 40 E., W. M.*1 clause*
This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 4118, Volume 5, State Record of Water Right Certifi-
cates, NOT modified by the provisions of an order of the Water Resources Director
entered on June 8, 1979, approving transfer application No. 3023.The issuance of this superseding certificate does not confirm the status of the
water right in reference to ORS 540.610.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 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 July 23, 19 79.

Jana E. Saxon
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 41, page 48328

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