

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That THOMAS FITZGERALD

of Mitchell, State of Oregon, has a right to the use of the waters of Bear Creek for the purpose of irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wheeler County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12, at page 388; that the priority of the right thereby confirmed dates from 1892 for Tract #1; prior to 1889 for Tract #2, and 1897 for 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 one-fortieth of one cubic foot per second per acre of land irrigated before June 15, and one-eightieth of one cubic foot per second per acre after June 15, during the irrigation season from March 1 to October 1 of each year, measured at the point of diversion from the stream.

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

9.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 1.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 4.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 0.1 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 17,
 T. 11 S., R. 20 E., W. M.

TRACT #3

6.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 2.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 9,
 T. 11 S., R. 20 E., W. M.

TRACT #2

2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 10.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
 12 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 9;
 0.5 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$
 9.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 16,
 T. 11 S., R. 20 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 irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day of July, 1941

CHAS. E. STRICKLIN

State Engineer.