

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That M. D. KELLEY

of Dell State of Oregon has a right to the use of the waters of Willow Creek, a tributary of Malheur River and Phipps Creek and Black Creek, tributaries of Willow Creek,

for the purpose of the irrigation of 200 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur 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 3, at page 258 ; that the priority of the right hereby confirmed dates from the year 1873 for the irrigation of 120 acres from Willow and Phipps Creeks and from 1908 for 80 acres from Black Creek.

that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of flow from Willow and Phipps Creeks of 3.00 sec. ft. from February 15th to May 1st and 1.50 sec. ft. from May 1st to September 1st of each year, or the equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 360 acre feet.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: (Willow & Phipps Creeks) 40 acres in NE 1/4 SW 1/4; 40 acres in NW 1/4 SW 1/4; 20 acres in SW 1/4 SW 1/4 and 20 acres in SE 1/4 SW 1/4 of Section 4, Tp. 16 S., R. 43 E. W. M., in Malheur County, Oregon.

(Black Creek) 20 acres in SW 1/4 NW 1/4; 25 acres in NE 1/4 NW 1/4; 10 acres in NW 1/4 NW 1/4; 25 acres in SE 1/4 NW 1/4 of Section 12, Tp. 16 S. R. 41 E. W. M., in Malheur County, Oregon.

The use of water from Black Creek is limited to 1.00 sec. ft. and shall be diverted during and only during such season of the year as the waters of Black Creek would not, if uninterrupted by such diversion, reach Willow Creek. The total quantity so diverted during each season not to exceed 240 acre feet.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the State Water Board affixed this 11th day of June 1917 STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS State Engineer, President

Attest: M. F. MERS Secretary