

## STATE OF OREGON

CERTIFICATE NO. 45094  
46475WATER DIVISION NO. 2 COUNTY OF UMATILLA

## CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

**This is to Certify, That** DANIEL J. KIRKof Freewater State of Oregon has a right to the use of  
the waters of Dugger Creek and Spring Branch or Swamp, tributary of Pine Creek,

for the purpose of the irrigation of 151.5 acres of land and stock and domestic use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla 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 321; that the priority of the right hereby confirmed dates from the year 1871 for the irrigation of 22 acres, from 1909 for 3.4 acres, from 1900 for 80.5 acres, from 1906 for 36.8 acres, from 1870 for 23.4 acres and from 1903 for 5.4 acres;

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 of 1.89 sec. ft. from May 1st to September 1st of each year or its equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 454.5 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:

23.2 acres in Southwest quarter of Southwest quarter; 34.8 acres in Southeast quarter of Southwest quarter; Section Twenty-nine (29), 25.6 acres in Southeast quarter of Southeast quarter; 38.4 acres in Northeast quarter of Southeast quarter; 29.5 acres in Southwest quarter of Southeast quarter; Section Thirty (30), Township Six (6) North Range Thirty-five (35) East of Willamette Meridian, in Umatilla County, Oregon.

21.8 acres of the above irrigated from Spring Branch or Swamp, under date of 1906, balance of appropriation from Dugger Creek.

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

State  
WITNESS the seal and signature of the

Water Board

affixed this 16th day

of July, 1917.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By: JOHN H. LEWIS

State Engineer, President

Attest:

M. F. MERS

Secretary

Recorded in State Record of Water Right Certificates, Volume 3, page 1698

T# 3501