

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESTATE OF K. W. KIVETT

of c/o John C. Mack, 1025 Hillcrest Dr., Baker, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Birch Creek and reservoir #3 constructed under Application No. R-26142, Permit No. R-1176 a tributary of Snake River for the purpose of

irrigation of 27.8 acres and supplemental irrigation of 168.6 acres

under Permit No. 20411 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from June 28, 1951

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 2.76 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T. 14 S., R. 43 E., W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fourtieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1176,

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Supplemental	Primary
0.8 acres	0.2 acre NW $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres	12.8 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
2.4 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 14
0.2 acre	NE $\frac{1}{4}$ SE $\frac{1}{4}$
18.4 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 15
2.4 acres	NE $\frac{1}{4}$ NE $\frac{1}{4}$
	Section 22
	14.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
39.6 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
14.4 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
6.6 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
34.2 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
29.4 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$
0.2 acre	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	Section 23

T. 14 S., R. 43 E., W. M.

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 State Engineer, affixed

this date. AUGUST 24 1962

CHRIS L. WHEELER

State Engineer