

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DANIEL J. KIRK

of Milton-Freewater, State of Oregon, 97862, has
a right to the use of the waters of Dugger Creek and Spring Branch or Swamp

a tributary of Pine Creek for the purpose of
the irrigation of 150.5 acres, stock and domestic

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 WATER RESOURCES DIRECTOR, in Volume 3, at page 321; that the priority of the right thereby confirmed dates from the year 1871 for the irrigation of 21 acres, from 1909 for 3.4 acres, from 1900 for 60.5 acres, from 1906 for 36.8 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 1.88 cubic feet per second 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 451.5 acre feet

The point of diversion is located in the

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

22.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
34.8 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 29
25.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
38.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
29.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 30
T. 6 N., R. 35 E., W. M.

* from 1870 for 23.4 acres and from 1903 for 5.4 acres.

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

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 1698, Volume 2, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on February 15, 1977, approving transfer application No. 3501.

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 December 19, 1977.

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45094