

## STATE OF OREGON

COUNTY OF

BAKER

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ESTATE OF  
WALLACE SIMRELL

of 1630 4th Street, Baker, State of Oregon 97814, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Drain Ditch

a tributary of Pine Creek for the purpose of supplemental irrigation of 48.4 acres

under Permit No. 38921 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 January 10, 1974

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 1.21 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 SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, T. 8 S., R. 39 E., W.M.; 475 feet North and 30 feet East from the Center of Section 28

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-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 acre feet per acre for each acre irrigated during the irrigation season of each year

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:

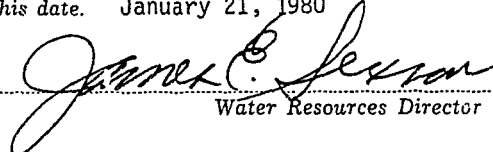
17.2 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
31.2 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 28  
T. 8 S., R. 39 E., W.M.

In processing the application towards issuance of the permit, it appears that a clerical error was inadvertently made in limiting the duty of water to not exceed 1/40 of one cubic foot per second per acre and 4 $\frac{1}{2}$  acre feet per acre. In the issuance of this certificate, the duty of water has been reduced to 1/40 cubic foot per second per acre and 4 acre feet per acre for each acre irrigated during the irrigation season of each year, in keeping with the customary policy and determination of this office of the proper maximum limits.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. January 21, 1980

  
Water Resources Director