

## 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  
irrigation of 95.4 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 1871 for irrigation of 1.2 acres; 1909 for 2.0 acres; 1900 for 31.0 acres; 1906 for 36.8 acres; 1870 for 19.0 acres; 1903 for\* 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 1.19 cubic feet per second from May 1 to September 1 of each year, or its equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 286.2 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:

\*5.4 acres

22.2 acres SW 1/4 SW 1/4

34.8 acres SE 1/4 SW 1/4

Section 29

38.4 acres NE 1/4 SE 1/4

Section 30

Township 6 North, Range 35 East, WM

21.8 acres of the above irrigated from Spring Branch or Swamp, under a priority 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 45094, Volume 37, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 22, 1983, approving Transfer Application 5202.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 November 17, 1983

*William H. Jones*  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51740  
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