

STATE OF OREGON

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

This is to certify, That RALPH L. AND ELEANOR J. SMEAD

of Route 1, Box 202, Halfway, State of Oregon 97834, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Clear Creek and Pine Creek

a tributary of Snake River for the purpose of primary irrigation of 2.7 acres and supplemental irrigation of 1.3 acres

under Permit No. 38122 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 May 17, 1973

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 0.10 cubic foot per second, being 0.065 cfs from Clear Creek and 0.035 cfs from Pine Creek

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE 1/4 SE 1/4, Section 5, SE 1/4 NE 1/4, Section 6, T8S, R46E, WM; Clear Creek - 1,100 feet North and 970 feet West from SE Corner Section 5, Pine Creek - 270 feet West from E 1/4 Corner Section 6.

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 1/2 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:

PRIMARY
Pine and Clear Creeks
2.7 acres SE 1/4 SE 1/4

SUPPLEMENTAL
Clear Creek
1.3 acres SE 1/4 SE 1/4
Section 5
Township 8 South, Range 46 East, WM

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 minimum flows established by the Water Policy Review Board with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. September 27, 1984

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 47, page 52326