

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID P. BIRD
ROUTE 1, BOX 265
HALFWAY, OREGON 97834

confirms the right to use the waters of CLEAR CREEK AND AN UNNAMED SLOUGH, a tributary of PINE CREEK, for the purpose of IRRIGATING 33.7 ACRES.

The right has been perfected under Permit 42422. The date of priority is JANUARY 4, 1977. The right is limited to not more than 0.84 CUBIC FOOT PER SECOND; BEING 0.42 CFS FROM EACH SOURCE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NW 1/4 SE 1/4, SECTION 9, SW 1/4 NE 1/4, SECTION 15,
T 8 S, R 46 E, W.M.; CLEAR CREEK - 2460 FEET NORTH & 1440 FEET WEST
FROM SE CORNER SECTION 9; SLOUGH - 720 FEET NORTH & 600 FEET EAST;
730 FEET NORTH & 890 FEET EAST, BOTH FROM C1/4 CORNER SECTION 15.

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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

SW 1/4 NE 1/4 30.9 ACRES
SE 1/4 NE 1/4 2.8 ACRES
SECTION 15
TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director,
affixed this date DECEMBER 29, 1988.

/s/ WILLIAM E. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 59078

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