

STATE OF OREGON  
COUNTY OF BAKER  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD A. AND KIM L. SMITH  
ROUTE 1, BOX 72-A  
BAKER, OREGON 97814

confirms the right to use the waters of A SPRING, a tributary of MILL CREEK, for the purpose of SUPPLEMENTAL IRRIGATION OF 1.7 ACRES.

The right has been perfected under Permit 49696. The date of priority is APRIL 3, 1986. The right is limited to not more than 0.04 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 1, T 9 S, R 38 E, W.M.;  
520 FEET NORTH & 330 FEET WEST FROM E1/4 CORNER SECTION 1.

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 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. THE RIGHT SHALL BE LIMITED TO ANY DEFICIENCY IN THE AVAILABLE SUPPLY OF ANY PRIOR RIGHT FOR THE SAME LAND AND SHALL NOT EXCEED THE LIMITATION ALLOWED HEREIN.

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 NW 1/4 1.7 ACRES  
SECTION 6  
TOWNSHIP 9 SOUTH, RANGE 39 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 H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 59149  
68697.TS