

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of CLEAR CREEK, a tributary of SNAKE RIVER, for IRRIGATING 17.2 ACRES.

This right was perfected under Permit 26034. The date of priority is MARCH 6, 1959. This right is limited to 0.38 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE OLD POINT OF DIVERSION or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 SE 1/4, SECTION 9, T 8 S, R 46 E, W.M.; 2460 FEET NORTH AND 1440 FEET WEST FROM SE CORNER OF SECTION 9.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 NE 1/4 1.2 ACRES
SE 1/4 NE 1/4 16.0 ACRES
SECTION 15
TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JUNE 2, 1989, and together with Certificate 63673, supersedes Certificate 37498, State Record of Water Right Certificates.

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.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed MARCH 20, 1992.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 67234.

T-6180.DSM