

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BURNT RIVER IRRIGATION DISTRICT
1950 3RD STREET
BAKER CITY, OREGON 97814

confirms the right to use the waters of BURNT RIVER AND GALE CREEK, tributaries of SNAKE RIVER, for IRRIGATION OF 1.1 ACRE AND DOMESTIC USE FOR ONE FAMILY INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE LAWN AND GARDEN.

This right was perfected under Permit 51242. The date of priority is APRIL 16, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 CUBIC FOOT PER SECOND, BEING 0.03 CFS FOR IRRIGATION FROM BURNT RIVER AND 0.01 CFS FOR DOMESTIC USE FROM GALE CREEK, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

BURNT RIVER - SW 1/4 SW 1/4, SECTION 18, T 12 S, R 44 E, W.M.; 1254 FEET NORTH AND 422 FEET EAST FROM THE SW CORNER OF SECTION 18.

GALE CREEK - SE 1/4 SE 1/4, SECTION 13, T 12 S, R 43 E, W.M.; 978 FEET NORTH AND 23 FEET WEST FROM THE SW CORNER OF SECTION 18.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 3.0 acre-feet per acre 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:

NW 1/4 SW 1/4 0.4 ACRE
SW 1/4 SW 1/4 0.7 ACRE AND DOMESTIC
 SECTION 18
 TOWNSHIP 12 SOUTH, RANGE 44 EAST, W.M.

Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 MAY 9, 1996.

/s/ Steven P. Applegate
Martha O. Pagel

BASIN 9
70294.BXB

Recorded in State Record of Water Right Certificates numbered 72307.
VOLUME 3A BURNT RIVER

DISTRICT 8