

## STATE OF OREGON

COUNTY OF BAKER

## CERTIFICATE OF WATER RIGHT

**This is to Certify,** That POCAHONTAS MINING & IRRIGATION CO.

of Baker, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Marble Creek and Mill Creek a tributary of Salmon Creek, tributary of Powder River for the purpose of Irrigation, being a supplemental supply for the irrigation of land already having a partial water right of the State Engineer, 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 August 9, 1919;

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 18.44 cubic feet per second.

The point of diversion is located in the of Section 6, Township 9 S, Range 39E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows:

|  |   |
|--|---|
| 35 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  | 19.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , |
| 22 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  | Section 5,  |
| 23 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  | Township 9 South, Range 39 East, W. M.                |
| 2.5 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , | Owned by W. A. and Pansy Buchanan.                    |
| Section 6,   |   |
| Township 9 South, Range 39 East, W. M.               | 25 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,   |
| Owned by C. C. and Edna Jackson.                     | 38 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,   |
|  | 32 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ ,   |
|  | Section 5,  |
| 15 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,  | Township 9 South, Range 39 East, W. M.                |
| 15 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  | Owned by Marvin S. and Gussie Baisley.                |
| Section 32,  |   |
| Township 8 South, Range 39 East, W. M.               | 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,   |
| Owned by Ella M. Osborn.                             | 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,   |
|  | 40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,   |
|  | 40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,   |
| 35 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  | Section 32,   |
| 40 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  | Township 8 South, Range 39 East, W. M.                |
| 40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  | Owned by Hugh Doherty.                                |
| Section 5,   |   |
| Township 9 South, Range 39 East, W. M.               | 25 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,   |
| Owned by J. W. Stuchell.                             | Section 5,  |
|  | 40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,   |
| 30 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  | 15 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,   |
| 30 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  | Section 6,  |
| Section 35,  | Township 9 South, Range 39 East, W. M.                |
| Township 8 South, Range 39 East, W. M.               | Owned by J. H. B. and Grace G. Harrington.            |
| Owned by W. B. and L. M. Landreth.                   |   |
|  | 15 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ ,   |
| 30 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  | 40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,   |
| 34 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  | Section 5,  |
| Section 5,   | 25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,   |
| Township 9 South, Range 39 East, W. M.               | Section 6,  |
| Owned by James A. Kelley.                            | Township 9 South, Range 39 East, W. M.                |
|  | Owned by P. Crabill.                                  |
| 20 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  |   |
| Section 5,   |   |
| Township 9 South, Range 39 East, W. M.               |   |
| Owned by C. F. and Iva Valentine.                    |   |

40 acres in the NE<sup>1</sup>NE<sup>1</sup>,  
40 acres in the NW<sup>1</sup>NE<sup>1</sup>,  
Section 4,  
Township 9 South, Range 39 East, W. M.  
Owned by Homan E. and Mary E. Jordan.

20 acres in the SW<sup>1</sup>NE<sup>1</sup>,  
16 acres in the SE<sup>1</sup>NE<sup>1</sup>,  
Section 4,  
Township 9 South, Range 39 East, W. M.  
Owned by Marlow J. and Grace M. Evans.

20 acres in the SW<sup>1</sup>NE<sup>1</sup>,  
17 acres in the SE<sup>1</sup>NE<sup>1</sup>,  
Section 4,  
Township 9 South, Range 39 East, W. M.  
Owned by Bert and Olga Melvin.

11 acres in the NE<sup>1</sup>SW<sup>1</sup>,  
40 acres in the NW<sup>1</sup>SE<sup>1</sup>,  
10.7 acres in the SW<sup>1</sup>SE<sup>1</sup>,  
Section 6,  
Township 9 South, Range 39 East, W. M.  
Owned by Henry J. and Margaret May Kinnison.

25 acres in the SW<sup>1</sup>SE<sup>1</sup>,  
25 acres in the SE<sup>1</sup>SE<sup>1</sup>,  
Section 32,  
Township 8 South, Range 39 East, W. M.  
50 acres in the NE<sup>1</sup>NW<sup>1</sup>,  
30 acres in the NW<sup>1</sup>NW<sup>1</sup>,  
Section 4,  
Township 9 South, Range 39 East, W. M.  
Owned by Julia A. Brown.

5 acres in the NE<sup>1</sup>NW<sup>1</sup>,  
5 acres in the NW<sup>1</sup>NW<sup>1</sup>,  
Section 4,  
Township 9 South, Range 39 East, W. M.  
10 acres in the SW<sup>1</sup>SW<sup>1</sup>,  
5 acres in the SE<sup>1</sup>SW<sup>1</sup>,  
Section 33,  
Township 8 South, Range 39 East, W. M.  
Owned by Dorcas Brown.

40 acres in the NE<sup>1</sup>SE<sup>1</sup>,  
40 acres in the NW<sup>1</sup>SE<sup>1</sup>,  
Section 32,  
Township 8 South, Range 39 East, W. M.  
Owned by David Lee.

40 acres in the SW<sup>1</sup>NE<sup>1</sup>,  
40 acres in the SE<sup>1</sup>NE<sup>1</sup>,  
Section 32,  
Township 8 South, Range 39 East, W. M.  
Owned by J. M. Conner.

40 acres in the SW<sup>1</sup>NW<sup>1</sup>,  
40 acres in the SE<sup>1</sup>NW<sup>1</sup>,  
40 acres in the NE<sup>1</sup>SW<sup>1</sup>,  
40 acres in the NW<sup>1</sup>SW<sup>1</sup>,  
Section 33,  
Township 8 South, Range 39 East, W. M.  
Owned by Estate of James Akers, deceased.

Being a total of 1,474.7 acres.

*The right to the use of the water for any purpose is restricted to the lands or place of use herein described.*

*After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, servicable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.*

WITNESS the signature of the State Engineer,

affixed this 1st day  
of June 33  
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CHAS. E. STRICKLIN

State Engineer.