

## STATE OF OREGON

## COUNTIES OF BAKER AND GRANT

## CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, That J. R. Dodson of Portland, 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 East and West Forks of Clear Creek, Dry Gulch, Little Salmon and Lightning Creeks (tributary of John Day River) and Bear Gulch and North and South Forks of Bennett Creek (tributary of Burnt River) for the purpose of Placer Mining under Permits Nos. 1651, 1652, 1653, 1654, 3262 and 3263 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 priorities of the right hereby confirmed date from July 5, 1913, under Permits Nos. 1651, 1652, 1653 and 1654, and from February 1, 1917, under Permits Nos. 3262 and 3263; 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 4.0 cubic feet per second from the East Fork of Clear Creek, 4.0 cubic feet per second from the West Fork of Clear Creek, 8.0 cubic feet per second from Dry Gulch, 6.0 cubic feet per second from Little Salmon and Lightning Creeks, 6.0 cubic feet per second from Bear Gulch (upper diversion), 8.0 cubic feet per second from Bear Gulch (lower diversion), 6.5 cubic feet per second from the North Fork of Bennett Creek and 6.5 cubic feet per second from the South Fork of Bennett Creek, and shall not exceed a total of 14.0 cubic feet per second at any one time from all of the above sources plus a reasonable allowance for seepage losses. The points of diversion are located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 30, Township 9 South, Range 35 East, W. M.,  
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 30, Township 9 South, Range 35 East, W. M.,  
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 5, Township 10 South, Range 35 East, W. M.,  
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 4, Township 10 South, Range 35 East, W. M.,  
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 4, Township 10 South, Range 35 East, W. M.,  
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 12, Township 10 South, Range 35 East, W. M.,  
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 13, Township 10 South, Range 35 East, W. M.,  
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, Township 10 South, Range 35 $\frac{1}{2}$  East, W. M.,  
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 16, Township 10 South, Range 35 $\frac{1}{2}$  East, W. M.

A description of the place of use under the right hereby confirmed and to which such right is appurtenant is as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$  and  
 S $\frac{1}{2}$  NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 14,  
 N $\frac{1}{2}$  SW $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
 W $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  and W $\frac{1}{2}$  NE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
 Section 12,  
 Township 10 South, Range 35 $\frac{1}{2}$  East, W. M.,  
 S $\frac{1}{2}$  SW $\frac{1}{4}$ , Section 7,  
 Township 10 South, Range 36 East, W. M.

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, serviceable 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 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer,  
affixed this 1st day of June, 1933.

---

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 10082.