

STATE OF OREGON

COUNTY OF BAKER

C E R T I F I C A T E O F W A T E R R I G H T

THIS IS TO CERTIFY, That OTHA D. PERKINS of Baker, State of Oregon, has made proof to the satisfaction of the State Engineer of Oregon, of a right to store the waters of Pine Creek, tributary of Powder River, to be appropriated under Application No. 14442, Permit No. 10721, for the purpose of Supplemental Irrigation, under Reservoir Permit No. 660 of the State Engineer, and that said right to store said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 11, 1931; that the amount of water entitled to be stored each year under such right, for the purposes aforesaid, shall not exceed 85 acre-feet.

This right shall be subject to the following condition that the City of Baker's rights and priorities both as to natural flow and storage shall be preserved and shall not be affected by this subsequent filing; that should the City of Baker at any time hereafter elect to employ its said rights in this reservoir, Mrs. Perkins, or her successors in interest, will promptly recognize the City's rights to the use of such reservoir for municipal purposes as specified in the agreement between the City and her on February 16, 1932, and that Mrs. Perkins or her successors in interest, will at all times indemnify and save the City harmless of any damage which may result through her enjoyment of said facilities as specified in said agreement.

The reservoir is located in Section 32, Township 3 South, Range 58 East, W. M.

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 28th day of July, 1933.

\_\_\_\_\_  
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 10089.