

## STATE OF OREGON

## COUNTY OF BAKER

## CERTIFICATE OF WATER RIGHT

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 the use of the waters of a reservoir on Pine Creek, to be constructed under Application No. 14441, Permit No. R-660, a tributary of Powder River, for the purpose of irrigation, domestic and stock under Permit No. 10721 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 December 11, 1931; 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 8.0 cubic feet per second. The points of diversion are located in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 26 and SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 32, Township 8 South, Range 38 East, 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-fortieth 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:

40 acres in the NE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ,	40 acres in the NW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ,
40 acres in the SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> ,	40 acres in the SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> ,
Section 12,	Section 7,
40 acres in the NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ,	40 acres in the NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> ,
40 acres in the SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ,	40 acres in the SE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> ,
Section 13,	Section 18,
Township 8 South, Range 38 East, W. M.	Township 8 South, Range 39 East, W. M.

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 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 28th day of July, 1935.

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State Engineer.