

STATE OF OREGON

WATER DIVISION No. 2                      COUNTY of BAKER and UNION

CERTIFICATE OF WATER RIGHT  
(For Rights which have been confirmed by the Courts)

THIS IS TO CERTIFY, That WILLIAM N. GARDNER of North Powder, State of Oregon has a right to the use of the waters of North Powder River, a tributary of Powder River, for the purpose of the irrigation of 174 acres, and domestic and stock use, and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Union County, and the said decree entered of record at Salem, in the Order Record of the State Water Board of Oregon in Volume 3 at page 252; that the priority of the right hereby confirmed dates from the year 1870 for the irrigation of 87 acres, from 1871 for 30 acres, from 1875 for 37 acres, and from 1895 for 20 acres, and from 1862 for domestic and stock use through the Gardner Mill Race;

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 a rate of flow of 4.36 sec. ft. from March 1st to July 1st and 2.18 sec. ft from July 1st to October 1st of each year; the total quantity diverted during each irrigation season not to exceed 435 acre feet.

A description of the lands irrigated under such rights, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to a beneficial use, is as follows:

40 acres in NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; 40 acres in NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; 7 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; 17 acres in NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; 21 acres in NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; 21 acres in SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; 28 acres in SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; Section Thirty-three (33), Township Six (6) South, Range Thirty-eight (38) East of Willamette Meridian, in Baker County, Oregon.

*Ch. in pt. of div.  
Sp. Or. Vol. 7, p. 497*

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the STATE WATER BOARD affixed this 9th day of May, 1917.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)                      By JOHN H. LEWIS,  
State Engineer, President.

Attest:  
M. F. MERS, Secretary.

Recorded in State Record of Water Right Certificates, Volume 2, Page 1468.