

## STATE OF OREGON

Sup. Ord. No. 47144  
Cert. No. \_\_\_\_\_

COUNTY OF BAKER

## CERTIFICATE OF WATER RIGHT

This is to Certify, That J. H. TONEY

of Haines, State of Oregon has a right to the use of  
the waters of Powder River, tributary of Snake River; Rock Creek and Sand Creek,  
tributary of Powder River  
for the purpose of the irrigation of 491.5 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Baker County, and the said decree entered of record at Salem, in the Order  
Record of the STATE WATER BOARD of the State of Oregon, in Volume 6, at page 291;  
that the priority of the right thereby confirmed dates from 1905 for Tract No. 1: 1883 for  
3 acres, 1898 for 77 acres and 1894 for 80 acres in Tract No. 2; 1876 for 171  
acres, 1880 for 57.5 acres and 1897 for 15 acres in Tract No. 3

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an  
amount actually beneficially used for said purposes, and shall not exceed 1/40 of one cubic foot  
per second per acre; and shall be subject to all other conditions and limitations  
contained in said decree.

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

Tract No. 1 from Powder River: 16 acres in the Northeast quarter of Southwest  
quarter; 22 acres in the Northwest quarter of Southwest quarter; 5 acres in the  
Southwest quarter of Southwest quarter and 35 acres in the Southeast quarter of  
Southwest quarter of Section Twenty-seven, Township Seven South, Range Thirty-nine  
East of Willamette Meridian, in Baker County, Oregon.

Tract No. 2 from Rock Creek: 40 acres in the Northwest quarter of Northeast  
quarter; 40 acres in the Northeast quarter of Northwest quarter; 40 acres in the  
Northeast quarter of Southeast quarter and 40 acres in the Southeast quarter of  
Southeast quarter of Section Thirty-five, Township Seven South, Range Thirty-eight  
East of Willamette Meridian, in Baker County, Oregon.

Tract No. 3 from Rock Creek and Sand Creek: 36 acres in the Northeast  
quarter of Northeast quarter of Section Thirty-three: 27.5 acres in the Southeast  
quarter of Southwest quarter; 25 acres in the Northeast quarter of Southeast quarter  
40 acres in the Northwest quarter of Southeast quarter; 39 acres in the Southwest  
quarter of Southeast quarter and 28 acres in the Southeast quarter of Southeast  
quarter of Section Twenty-eight; 15 acres in the Northwest quarter of Southwest  
quarter and 33 acres in the Southwest quarter of Southwest quarter of Section  
Twenty-seven, Township Seven South, Range Thirty-nine East of Willamette Meridian,  
in Baker County, Oregon.

The right to the use of the water for irrigation purposes is restricted to the lands or place  
of use herein described.

WITNESS the seal and signature of the State  
Water Board, affixed this 15th day  
of February, 1923

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER  
State Engineer, President

Attest:

R. W. POTTER  
Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 4509.