

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* ASA L. BROWN

of Haines, State of Oregon, 97833, has
a right to the use of the waters of Marble or Gravel Creek, Rock Creek and Willow Creek

a tributary of Powder River for the purpose of
the irrigation of 439.8 acres

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 WATER RESOURCES DIRECTOR, in Volume 6, at page 291; that the priority of the right thereby confirmed dates from 1864 for 25 acres, 1901 for 18 acres, 1868 for 173.8 acres, 1894 for 80 acres, Tract No. 1; October 12, 1864 for 60 acres, * 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;

The point of diversion is located in the

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

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* 1868 for 60 acres, 1883 for 23 acres, Tract No. 2.

Tract No. 1
Marble or Gravel Creek & Rock Creek

40.0 acres NE $\frac{1}{4}$ NW $\frac{1}{2}$
40.0 acres NW $\frac{1}{4}$ NW $\frac{1}{2}$
40.0 acres SW $\frac{1}{4}$ NW $\frac{1}{2}$
40.0 acres NE $\frac{1}{4}$ SW $\frac{1}{2}$
40.0 acres NW $\frac{1}{4}$ SW $\frac{1}{2}$
13.8 acres SW $\frac{1}{4}$ SW $\frac{1}{2}$
40.0 acres SE $\frac{1}{4}$ SW $\frac{1}{2}$

Section 1

2.0 acres NE $\frac{1}{4}$ SE $\frac{1}{2}$
9.0 acres NW $\frac{1}{4}$ SE $\frac{1}{2}$
20.0 acres SW $\frac{1}{4}$ SE $\frac{1}{2}$
12.0 acres SE $\frac{1}{4}$ SE $\frac{1}{2}$

Section 2

T. 8 S., R. 38 E., W. M.

Tract No. 2
Willow Creek

20.0 acres SW $\frac{1}{4}$ SW $\frac{1}{2}$
Section 1

40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{2}$
40.0 acres SE $\frac{1}{4}$ NE $\frac{1}{2}$
24.0 acres NE $\frac{1}{4}$ SE $\frac{1}{2}$
19.0 acres NW $\frac{1}{4}$ SE $\frac{1}{2}$

Section 2

T. 8 S., R. 38 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4029, Volume 5, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 28, 1978, approving transfer application No. 3868.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date June 22, 1978.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38, page 45847