

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* POCAHONTAS MINING & IRRIGATION CO.

of Baker , State of Oregon 97814 , has
a right to the use of the waters of (See streams named below)

a tributary of for the purpose of
irrigation of 465.5 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 (See individual dates named below)

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:

M.E. ROBERTS, Baker, Oregon, Priority of 1880 for 18 acres and 1908 for 7.5
acres, from Marble and Mill Creeks, Roberts Springs 2 and 3 in SE 1/4 SW 1/4
and NE 1/4 SW 1/4, Section 6, for the irrigation of 23 acres in the NE 1/4
SW 1/4 and 2.5 acres in the SE 1/4 SW 1/4, Section 6, T9S, R39E, WM, Baker
County, Oregon.

ELLA M. OSBORN, Baker, Oregon, Priority of 1873 for 30 acres, from Marble and
Mill Creeks, for the irrigation of 15 acres in SW 1/4 SE 1/4 and 15 acres in
SE 1/4 SE 1/4, Section 32, T8S, R39E, WM, Baker County, Oregon.

FRETA MORIN, Baker, Oregon, Priority of 1863 for 79 acres and 1906 for 36
acres from Marble, Mill, Morin Springs in NE 1/4 NE 1/4, Section 5, for the
irrigation of 40 acres in NW 1/4 NE 1/4; 35 acres in NE 1/4 NE 1/4 and 40
acres in NE 1/4 NW 1/4, Section 5, T9S, R39E, WM, Baker County, Oregon.

W.B. AND L.M. LANDRETH, Baker, Oregon, Priority of 1863, from Marble and Mill
Creeks for the irrigation of 20 acres in SW 1/4 SW 1/4 and 20 acres in SE 1/4
SW 1/4, Section 33, T8S, R39E, WM, Baker County, Oregon.

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JAMES A. KELLEY, Baker, Oregon, Priority of 1863 for 77.5 acres and 1910 for 26 acres, from Marble, Mill and Kelley Springs to SW 1/4 NE 1/4, Section 5, Spring Creek, Cavin and Crabill Springs, for the irrigation of 30 acres in SW 1/4 NE 1/4; 39.5 acres in SE 1/4 NE 1/4 and 34 acres in SE 1/4 NW 1/4, Section 5, T9S, R39E, WM, Baker County, Oregon.

CHAS. W. KELLEY, Baker, Oregon, Priority of 1863 from Marble and Mill Creeks, McCord Gulch and Spring and Salmon Creeks, for the irrigation of 6.8 acres in NE 1/4 SE 1/4, Section 5, T9S, R39E, WM, Baker County, Oregon.

HARLOW J. EVANS, HERMAN E. JORDAN AND MARY E. JORDAN, Baker, Oregon, Priority of 1864 for 128.7 acres; 1875 for 8 acres and 1905 for 8 acres, from Marble Creek, Mill Creek and Salmon Creek, for the irrigation of 23.7 acres in NE 1/4 NE 1/4, 40 acres in NW 1/4 NE 1/4, 40 acres in SW 1/4 NE 1/4, 33 acres in SE 1/4 NE 1/4 and 8 acres in NW 1/4 SE 1/4, Section 4, T9S, R39E, WM, Baker County, Oregon.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 4415, Volume 5, State Record of Water Right Certificates, NOT Modified by the provisions of an order of the Water Resources Director entered on July 29, 1983, approving Transfer Application 5280.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 May 29 , 1984 .

.....William H. Young.....
Water Resources Director