

STATE OF OREGON

CANCELED

COUNTY OF

BAKER

CERTIFICATE OF WATER RIGHT

CANCELED

This Is to Certify, That OTHA D. PERKINS

of Baker, State of Oregon, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a reservoir on Pine Creek, constructed under Permit R-660

a tributary of Powder River for the purpose of irrigation, domestic and stock

under Permit No. 10721 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 7.0 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW 1/4 NW 1/4, Section 26, SW 1/4 NE 1/4, Section 32, T8S, R38E, W.M.

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,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

40.0 acres NE 1/4 SE 1/4
40.0 acres SE 1/4 SE 1/4
Section 12
40.0 acres NW 1/4 NE 1/4
Section 13
Township 8 South, Range 38 East, WM

40.0 acres NW 1/4 SW 1/4
40.0 acres SW 1/4 SW 1/4
Section 7
40.0 acres NW 1/4 NW 1/4
40.0 acres SW 1/4 NW 1/4
Section 18
Township 8 South, Range 39 East, WM

SEE NEXT PAGE

Cancelled Sp. Or. Vol. 50 P. 735

Repealed by Cert. No. 12615

Cancelled - Sp. or Dec. Vol. 49 P. 267

Repealed by Cert. No. 68541

T-6785

CANCELED

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.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 10135, Volume 9, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on February 13, 1987.

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.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.*

WITNESS the signature of the Water Resources Director, affixed

~~at the~~ ~~this~~ date. March 6, 1987

/s/ William H. Young

Water Resources Director

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Recorded in State Record of Water Right Certificates, Volume 51 , page 55731

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