

## STATE OF OREGON

COUNTY OF BAKER

## CERTIFICATE OF WATER RIGHT

This is to Certify, That F.A. Phillips, Lulu M. Phillips, Russel Ingle, A. N. Ingle and Guy Carnes of Baker, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Goose Creek, West Eagle Creek, Traverse Lake and Echo Lake Reservoirs, constructed under Permit No. R-136, a tributary of Powder River for the purpose of

Irrigation and Supplemental Irrigation under Permit No. 5859 of the State Engineer, 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 June 18, 1917;

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 29.01 cubic feet per second;

The point of diversion is located in the  $SE\frac{1}{4}SE\frac{1}{4}$  of Section 4, Township 8 S, Range 45 E, M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officials.

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-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: A new right for 40 acres in the  $SW\frac{1}{4}NE\frac{1}{4}$ , 40 acres in the  $NW\frac{1}{4}SE\frac{1}{4}$ , 40 acres in the  $SW\frac{1}{4}SE\frac{1}{4}$ , 40 acres in the  $SE\frac{1}{4}SE\frac{1}{4}$ , Section 25, 40 acres in the  $NW\frac{1}{4}SW\frac{1}{4}$ , 40 acres in the  $SW\frac{1}{4}SW\frac{1}{4}$ , 40 acres in the  $NE\frac{1}{4}SW\frac{1}{4}$ , 38 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , Section 24, 6 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 25 acres in the  $NW\frac{1}{4}NE\frac{1}{4}$ , 40 acres in the  $NE\frac{1}{4}NE\frac{1}{4}$ , 15 acres in the  $SE\frac{1}{4}NE\frac{1}{4}$ , Section 26, 31.5 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 15 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 2 acres in the  $SW\frac{1}{4}NW\frac{1}{4}$ , 20 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 1 acre in the  $NW\frac{1}{4}SW\frac{1}{4}$ , 7 acres in the  $NE\frac{1}{4}SW\frac{1}{4}$ , 40 acres in the  $NW\frac{1}{4}SE\frac{1}{4}$ , 7 acres in the  $SE\frac{1}{4}SE\frac{1}{4}$ , Section 25, Township 8 South, Range 42 East, and 40 acres in the  $SW\frac{1}{4}SE\frac{1}{4}$ , Section 19, 36 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 25 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 21.5 acres in the  $SW\frac{1}{4}NW\frac{1}{4}$ , 6 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 34 acres in the  $NW\frac{1}{4}SW\frac{1}{4}$ , 40 acres in the  $SW\frac{1}{4}SW\frac{1}{4}$ , 3.0 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , Section 20, 40 acres in the  $NW\frac{1}{4}NE\frac{1}{4}$ , 40 acres in the  $SW\frac{1}{4}NE\frac{1}{4}$ , 40 acres in the  $SE\frac{1}{4}NE\frac{1}{4}$ , Section 30, 40 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 30 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 40 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , 16 acres in the  $SW\frac{1}{4}SE\frac{1}{4}$ , Section 29, 7.5 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 7 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 36 acres in the  $NW\frac{1}{4}NE\frac{1}{4}$ , 40 acres in the  $NE\frac{1}{4}NE\frac{1}{4}$ , Section 31, 40 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 40 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 9 acres in the  $NW\frac{1}{4}NE\frac{1}{4}$ , 28 acres in the  $NE\frac{1}{4}NE\frac{1}{4}$ , 16 acres in the  $SW\frac{1}{4}NE\frac{1}{4}$ , Section 32, 40 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 14 acres in the  $SW\frac{1}{4}NW\frac{1}{4}$ , 40 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 10 acres in the  $NW\frac{1}{4}SW\frac{1}{4}$ , 59 acres in the  $NE\frac{1}{4}SW\frac{1}{4}$ , 5 acres in the  $SW\frac{1}{4}SW\frac{1}{4}$ , 26 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , Section 33, Township 8 South, Range 45 East of the Willamette Meridian.

A supplemental right for 2 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , Section 24, 34 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 25 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 15 acres in the  $NW\frac{1}{4}NE\frac{1}{4}$ , 38 acres in the  $SW\frac{1}{4}NE\frac{1}{4}$ , 25 acres in the  $SE\frac{1}{4}NE\frac{1}{4}$ , 15 acres in the  $NW\frac{1}{4}SE\frac{1}{4}$ , Section 26, 8.5 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 22 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 38 acres in the  $SW\frac{1}{4}NW\frac{1}{4}$ , 20 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 39 acres in the  $NW\frac{1}{4}SW\frac{1}{4}$ , 33 acres in the  $NE\frac{1}{4}SW\frac{1}{4}$ , 35 acres in the  $SW\frac{1}{4}SW\frac{1}{4}$ , 35 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , 35 acres in the  $SW\frac{1}{4}SE\frac{1}{4}$ , 33 acres in the  $SE\frac{1}{4}SE\frac{1}{4}$ , Section 25, Township 8 South, Range 42 East and 4 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 15 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 18.5 acres in the  $SW\frac{1}{4}NW\frac{1}{4}$ , 34 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 6 acres in the  $NW\frac{1}{4}SW\frac{1}{4}$ , 37 acres in the  $NE\frac{1}{4}SW\frac{1}{4}$ , 36 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , Section 20, 10 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 24 acres in the  $SW\frac{1}{4}SE\frac{1}{4}$ , Section 29, 23.5 acres in the  $NW\frac{1}{4}NW\frac{1}{4}$ , 32 acres in the  $NE\frac{1}{4}NW\frac{1}{4}$ , 7 acres in the  $SE\frac{1}{4}NW\frac{1}{4}$ , 14 acres in the  $NW\frac{1}{4}NE\frac{1}{4}$ , 16 acres in the  $SW\frac{1}{4}NE\frac{1}{4}$ , 30 acres in the  $SE\frac{1}{4}NE\frac{1}{4}$ , Section 31, 31 acres in the  $NW\frac{1}{4}NE\frac{1}{4}$ , 12 acres in the  $NE\frac{1}{4}NE\frac{1}{4}$ , 24 acres in the  $SW\frac{1}{4}NE\frac{1}{4}$ , 40 acres in the  $SE\frac{1}{4}NE\frac{1}{4}$ , Section 32, 26 acres in the  $SW\frac{1}{4}NW\frac{1}{4}$ , 30 acres in the  $NW\frac{1}{4}SW\frac{1}{4}$ , 1 acre in the  $NE\frac{1}{4}SW\frac{1}{4}$ , 15 acres in the  $SW\frac{1}{4}SW\frac{1}{4}$ , 14 acres in the  $SE\frac{1}{4}SW\frac{1}{4}$ , Section 33, Township 8 South, Range 45 East of the Willamette Meridian in Baker County, Oregon, being a total of 954.5 acres.

The total number of acres having a new right is 1,386.5.

*The right to the use of the water for any purpose is restricted to the lands or place of use herein described.*

*After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.*

WITNESS the signature of the State Engineer,

affixed this                    17th                    day

of            January                    , 19 39

Rhea Luper

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State Engineer.