

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

POCAHONTAS FARMERS DITCH COMPANY
BAKER CITY, OR 97814

confirms the right to use the waters of (see streams listed in Table I.) for IRRIGATION of 1588.53 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Department in Volume 6 at Page 291. The date of priority is (see individual names and priority dates listed in Table I.).

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of 1/40 of one cubic foot per second, or its equivalent for each acre irrigated, and shall be subject to all other conditions and limitations contained in the decree.

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

A description of the place of use to which this right is appurtenant is as follows:

TABLE I. – AUTHORIZED PLACE OF USE and PRIORITY DATES								
TWP	RNG	MER	SEC	Q-Q	ACRES	PRIORITY	NAME	SOURCE
9S	39E	W.M.	4	NENW	5.00	1863: 25.00 AC	DORCAS BROWN	MILL & MARBLE CREEKS
9S	39E	W.M.	4	NWNW	5.00			
8S	39E	W.M.	33	SWSW	10.00			
8S	39E	W.M.	33	SESW	5.00			
9S	39E	W.M.	5	SWNW	40.00	1863: 141.55 AC	P. CRABILL	MARBLE & MILL CREEKS, SPRING CREEK & SPRINGS, CRABIL SPRINGS & SWAMP, KELLEY SPRINGS & CAVIN SPRINGS
9S	39E	W.M.	5	NWSW	22.00			
9S	39E	W.M.	6	SENE	40.00			
9S	39E	W.M.	6	NESE	39.55			
9S	39E	W.M.	4	NENW	30.00	1863: 60.00 AC	JULIA A. BROWN	MARBLE & MILL CREEKS, SPRING CREEK, MCCORD GULCH & SPRING
9S	39E	W.M.	4	NWNW	30.00			
8S	39E	W.M.	32	SWSE	25.00	1873: 50.00 AC		
8S	39E	W.M.	32	SESE	25.00			
8S	39E	W.M.	33	SWNW	40.00	1864: 160.00 AC	JAMES AKERS	MILL & MARBLE CREEKS
8S	39E	W.M.	33	SENE	40.00			
8S	39E	W.M.	33	NESW	40.00			
8S	39E	W.M.	33	NWSW	40.00			
9S	39E	W.M.	4	NWSE	32.00	1866: 68.00 AC	A. CAVINESS	SALMON & HIBBARD CREEKS
9S	39E	W.M.	4	SWSE	40.00	1906: 4.00 AC		
9S	39E	W.M.	4	NESE	33.28	1866: 62.00 AC	JOHN H. LEW	SALMON & HIBBARD CREEKS, MARBLE, MILL, AND GOODRICH FOR ALL LANDS, BUT WITH DATE OF 1906
9S	39E	W.M.	4	SESE	40.00	1906: 11.28 AC		
8S	39E	W.M.	32	NESE	40.00	1869: 80.00 AC	J.M. BOWLES	MILL & MARBLE CREEKS
8S	39E	W.M.	32	NWSE	40.00			
9S	39E	W.M.	3	NESW	40.00	1872: 165.00 AC 1906: 75.00 AC	J.M. MASTERS	SPRINGS & SEEPAGE FROM LANDS OF MASTERS & YOUNG FOR ALL LAND AND DATES, MARBLE, MILL & GOODRICH CREEKS FOR ALL LANDS BUT WITH DATE 1906
9S	39E	W.M.	3	SESW	40.00			
9S	39E	W.M.	10	NENW	40.00			
9S	39E	W.M.	10	SENE	40.00			
9S	39E	W.M.	10	NWNE	40.00			
9S	39E	W.M.	10	SWNE	40.00			

TABLE I. – AUTHORIZED PLACE OF USE and PRIORITY DATES

TWP	RNG	MER	SEC	Q-Q	ACRES	PRIORITY	NAME	SOURCE
9S	39E	W.M.	6	NESW	11.00	1879: 50.00 AC 1908: 11.70 AC	JAMES CAVIN	MARBLE & MILL CREEKS, CAVIN SPRINGS IN THE SESW OF SECTION 6
9S	39E	W.M.	6	NWSE	40.00			
9S	39E	W.M.	6	SWSE	10.70			
9S	39E	W.M.	6	SWNE	33.00	1880: 5.00 AC 1890: 25.00 AC 1899: 25.00 AC	JOHH CAVIN	MARBLE & MILL CREEKS, CAVIN SPRINGS IN THE SENW OF SECTION 6 & ROBERT SPRINGS IN THE NESW OF SECTION 6
9S	39E	W.M.	6	SENW	22.00			
8S	39E	W.M.	32	NESW	40.00	1888: 60.00 AC 1899: 100.00 AC	HUGH DOHERTY	MARBLE, MILL & GOODRICH CREEKS
8S	39E	W.M.	32	NWSW	40.00			
8S	39E	W.M.	32	SWSW	40.00			
8S	39E	W.M.	32	SESW	40.00			
9S	39E	W.M.	2	NESW	40.00	1906: 50.00 AC	D. FRED INDERMUHL	MARBLE, MILL & GOODRICH CREEKS & A SPRING IN THE SENW OF SECTION 11
9S	39E	W.M.	11	NENW	10.00			
9S	39E	W.M.	3	SWSW	40.00	1906: 80.00 AC	A.N. YOUNG	MARBLE, MILL & GOODRICH CREEKS AND SPRINGS & SEEPAGE ON OWN LAND
9S	39E	W.M.	3	NWSW	40.00			
9S	39E	W.M.	3	NWSE	40.00	1906: 160.00 AC	G.F. GARDNER & G.W. ADAMS	MARBLE, MILL & GOODRICH CREEKS & SEEPAGE FROM LANDS OF MASTERS & YOUNG
9S	39E	W.M.	3	NESE	40.00			
9S	39E	W.M.	3	SWSE	40.00			
9S	39E	W.M.	3	SESE	40.00			
9S	39E	W.M.	10	NENE	40.00	1906: 120.00 AC	FOUNTAIN SEACAT	MARBLE, MILL & GOODRICH CREEKS
9S	39E	W.M.	10	SENE	20.00			
9S	39E	W.M.	11	NWNW	40.00			
9S	39E	W.M.	11	SWNW	20.00			
TOTAL:					1588.53			

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate describes that portion of the water right confirmed by Certificate 4416, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered MAR 05 2007, and recorded in Special Order Volume 71, Page 276, canceling a portion of the water right. This certificate supersedes Certificate 4416.

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.

WITNESS the signature of the Water Resources Director, affixed MAR 05 2007.



Phillip C. Ward, Director