

STATE OF OREGON  
COUNTIES OF BAKER AND UNION  
**CERTIFICATE OF WATER RIGHT**

THIS CERTIFICATE ISSUED TO

Martin, Gary  
Rt 1, Box 59  
North Powder, OR 97867

Miller, Michael & Renee  
49621 Ellis Rd  
North Powder, OR 97867

Bingham, Dale & Leslie  
2055 2nd St  
Baker City, OR 97814

Martin, Curtis W. & Cheryl A.  
51898 OR Hwy 237  
North Powder, OR 97867

confirms the right to use the waters of North Powder River, a tributary of Powder River for irrigation of 1189.5 acres and livestock.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Union County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 3, at Page 252.

The dates of priority are:

Tract	Date	Acres	Date	Acres	Date	Acres	Date	Acres
1	1880	50.5	1883	84.5	1886	622.0	1905	357.0
2	1887	49.5	1902	26.0				

The use is limited to 29.74 cubic feet per second from March 1st to July 1st and 14.87 cubic feet per second from July 1st to October 1st of each year. The total quantity diverted during each irrigation season not to exceed 2973.75 acre feet.

The points of diversion are located as follows:

N-09 Kelsey Davis (aka Wilson) Ditch      SW¼ NE¼, Section 35, T6S, R38E, WM; 1710' South and 2550' West from the Northeast corner of Section 35, T6S, R38E, WM.

N-11 Sunnyslope Ellis Ditch                      NW¼ SW¼, Section 36, T6S, R38E, WM; 2774' South and 370' East from the Northwest corner of Section 36, T6S, R38E, WM.

N-12 Kelsey Wilson Ditch

SE¼ SW¼, Section 36, T6S, R38E, WM; 2450' East and 950' North from the Southwest corner of Section 36, T6S, R38E, WM.

N-13 Kelsey Ditch

SW¼ SE¼, Section 36, T6S, R38E, WM; 2600' West and 1055' North from the Southeast corner of Section 36, T6S, R38E, WM.

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

**TRACT 1**

Twp S	Rng E	Sec	Q40	Q160	Acres	POD	Date	Tx Lt
6	39	10	NE	SE	2.5	N-11	1905	500
6	39	11	NE	NE	33.0	N-11	1905	500
6	39	11	NW	NE	34.0	N-11	1905	500
6	39	11	SW	NE	40.0	N-11	1905	500
6	39	11	SE	NE	36.5	N-11	1905	500
6	39	11	NE	NW	33.0	N-11	1905	500
6	39	11	SW	NW	5.5	N-11	1905	500
6	39	11	SE	NW	40.0	N-11	1905	500
6	39	11	NE	SW	39.5	N-11	1905	500
6	39	11	NW	SW	19.0	N-11	1905	500
6	39	11	NE	SE	34.0	N-11	1905	500
6	39	11	NW	SE	40.0	N-11	1905	500
6	39	31	SW	NW	27.5	N-11	1880	4700/4701
6	39	31	SE	NW	23.0	N-11	1880	4500
6	39	31	NE	SW	40.0	N-13	1886	4900
6	39	31	SW	SW	8.0	N-12	1883	2400
6	39	31	SW	SW	10.0	N-13	1886	2400
6	39	31	SE	SW	22.0	N-12	1883	2400
6	39	31	SE	SW	10.5	N-13	1886	2400/4900
6	39	31	NW	SE	40.0	N-13	1886	4900
6	39	31	SW	SE	24.5	N-12	1883	2400
6	39	31	SW	SE	15.5	N-13	1886	2400/4900
6	39	31	SE	SE	30.0	N-12	1883	2400
6	39	31	SE	SE	2.0	N-13	1886	2400/4900
7	39	5	NE	NE	40.0	N-12	1886	900
7	39	5	SW	NW	40.0	N-12	1886	900
7	39	5	SE	NW	20.0	N-12	1886	900
7	39	5	NE	SW	1.0	N-12	1886	900
7	39	5	NW	SW	35.0	N-12	1886	900
7	39	5	SW	SW	8.0	N-12	1886	900

**TRACT 1**

Twp S	Rng E	Sec	Q40	Q160	Acres	POD	Date	Tx Lt
7	39	6	NE	NE	40.0	N-12	1886	900
7	39	6	NW	NE	40.0	N-12	1886	900
7	39	6	SW	NE	40.0	N-12	1886	900
7	39	6	SE	NE	40.0	N-12	1886	900
7	39	6	NE	NW	40.0	N-12	1886	900
7	39	6	SE	NW	40.0	N-12	1886	900
7	39	6	NE	SW	40.0	N-12	1886	900
7	39	6	NE	SE	40.0	N-12	1886	900
7	39	6	NW	SE	40.0	N-12	1886	900

**TRACT 2**

6	39	31	NE	NW	35.8	N-09&11	*N/S	4501
6	39	31	NW	NW	31.5	N-09&11	*N/S	4501/4504
6	39	31	SW	NW	2.0	N-09&11	*N/S	4700/4701
6	39	31	SE	NW	6.2	N-09&11	*N/S	4500

Location descriptions are based on the Willamette Meridian.

NOTE: \*N/S means the priority is "Not Specific" to the land location.

This certificate describes that portion of the water right confirmed by Certificate 64971, originally Certificate 1790, issued in the name of Charles E. Hutchinson, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on MAY 17 2011, and recorded in Special Order Volume 84, page 100, approving a petition by the Powder Valley Water Control District under ORS 541.329.

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

The right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

This certificate together with Certificates 83737 and 83741 supercedes Certificate 64971.

WITNESS the signature of the Water Resources Director, affixed MAY 17 2011.

  
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered **83807**