

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOUGLAS NEWMAN  
ROUTE 1, BOX 59A  
HAINES, OR 97833

confirms the right to use the waters of ROCK CREEK for the irrigation of 241.33 acres and MUDDY CREEK for the supplemental irrigation of 2.6 acres, tributaries of the POWDER RIVER.

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 DIRECTOR, in Volume 6, at page 291. The dates of priority are 1878 (28.0 acres), 1886 (132.0 acres) and 1891 (81.33 acres) from ROCK CREEK for irrigation, and 1874 (for 2.6 acres) from MUDDY CREEK for supplemental irrigation.

The use is limited to 6.10 CUBIC FEET PER SECOND, or its equivalent in case of rotation, being 0.70 cfs for irrigation under 1878 priority, 3.30 cfs for irrigation under 1886 priority, and 2.03 cfs for irrigation under 1891 priority from Rock Creek, and 0.07 cfs for supplemental irrigation from Muddy Creek.

The points of diversion are as follows:

OLSEN DITCH - NW1/4SE1/4, Section 33, being 880 feet South and 70 feet East from the Center corner, Section 33, Township 7 South, Range 38 East, W.M., from Rock Creek.

NEWMAN DITCH - SE1/4NW1/4, Section 27, being 810 feet North and 620 feet West from the Center corner, Section 27, Township 7 South, Range 38 East, W.M., from Muddy Creek.

The amount of water used for irrigation is limited to a diversion of 1/40 of one cubic foot per second or its equivalent for each acre irrigated.

A description of the lands irrigated under such right, and to which the water is appurtenant is as follows:

Priority	Use	Acres	¼ ¼	Section	Township	Range	Source
1878	IR	5.80	SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	27	7 South	38 East	Rock Creek
1878	IR	13.30	NESW	27	7 South	38 East	Rock Creek
1878	IR	8.90	SWSW	27	7 South	38 East	Rock Creek
1886	IR	26.40	SWNE	27	7 South	38 East	Rock Creek
1886	IR	27.90	SENE	27	7 South	38 East	Rock Creek
1886	IR	9.70	SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	27	7 South	38 East	Rock Creek
1886	IR	33.00	NESE	27	7 South	38 East	Rock Creek
1886	IR	35.00	NWSE	27	7 South	38 East	Rock Creek
1891	IR	10.63	SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	27	7 South	38 East	Rock Creek
1891	IR	28.30	NESW	27	7 South	38 East	Rock Creek
1891	IR	42.40	SESW	27	7 South	38 East	Rock Creek
1874	IS	2.60	SE <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub>	27	7 South	38 East	Muddy Creek

This certificate confirms an order of the Director entered on APR 10 1997, and recorded in Special Order Volume 51, Page 374, approving a petition by Douglas Newman under ORS 541.327. This certificate supersedes certificate 4385.

The right to the use of the water for the above purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed APR 10 1997

*/s/* MARTHA O. PAGEL

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74032.