

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS & KAREN BROCK  
HAINES, OR

confirms the right to use the waters of Rock Creek for irrigation of 39.1 acres, Sand Creek for irrigation of 37.0 acres, Pine Creek for irrigation of 25.0 acres with 1897 priority and 131.4 acres with 1903 priority, Willow Creek for irrigation of 117.3 acres and supplemental irrigation of 99.1 acres, tributaries of Powder River.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The Powder River decree is of record in Salem, in the Order Record of the Water Resources Director, in Volume 6, at Page 291. The dates of priority are 1865 for Rock Creek, 1874 for Sand Creek, 1897 and 1903 for Pine Creek, and 1906 for Willow Creek.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 11.225 CUBIC FEET PER SECOND or the equivalent in case of rotation.

The points of diversion are located as follows:

Weisner Ditch from Sand Creek - NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 31, T 7 S,  
R 38 E, WM;

Moore Ditch from Rock Creek - NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 32, T 7 S,  
R 38 E, WM;

Wilcox No. 2 Ditch from Willow Creek;

Dry Gulch Ditch from Pine Creek - SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 26, T 8 S,  
R 38 E, WM.

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 ONE-FORTIETH of one cubic foot per second, or the equivalent for each acre irrigated during the irrigation season of each year.

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

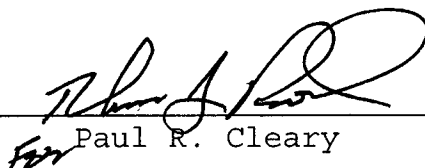
TWP	N/S	RNG	E/W	SEC	MER	¼ ¼	ACRES	SOURCE	PRIORITY	USE
7	S	39	E	32	W.M.	NE SW	39.10	ROCK CR.	1865	IR
7	S	39	E	32	W.M.	SE NW	37.00	SAND CR.	1874	IR
8	S	39	E	8	W.M.	NE NW	39.10	PINE CR.		IR
8	S	39	E	8	W.M.	NW NW	38.20	PINE CR.		IR
8	S	39	E	8	W.M.	SW NW	39.10	PINE CR.		IR
8	S	39	E	8	W.M.	SE NW	40.00	PINE CR.		IR
8	S	39	E	8	W.M.	S½ NE NW	20.00	WILLOW CR.	1906	IS
8	S	39	E	8	W.M.	SW NW	39.10	WILLOW CR.	1906	IS
8	S	39	E	8	W.M.	SE NW	40.00	WILLOW CR.	1906	IS
8	S	39	E	9	W.M.	NE NE	39.10	WILLOW CR.	1906	IR
8	S	39	E	9	W.M.	NW NE	39.10	WILLOW CR.	1906	IR
8	S	39	E	10	W.M.	SW NW	39.10	WILLOW CR.	1906	IR
TOTAL ACRES:							448.90			

This certificate describes that portion of the right confirmed by Certificate 73622, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered JAN 15 2003, and recorded in Special Order Volume 57, Page 30, canceling a portion of the right. This certificate supersedes Certificate 73622.

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 above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

WITNESS the signature of the Water Resources Director,  
affixed JAN 15 2003.

  
 Paul R. Cleary