

STATE OF OREGON

COUNTY OF

HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That REX CLEMENS RANCH, INC.

of Diamond , State of Oregon, 97722. , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Deep Creek and Kiger Creek

a tributary of Donner und Blitzen River for the purpose of irrigation of 127.4 acres

under Permit No. 32794 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 October 3, 1967 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 3.19 cubic feet per second, being 0.71 c.f.s. from Deep Creek and 2.48 c.f.s. from Kiger Creek

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Deep Creek-SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 25, T. 30 S., R. 33 E., W. M.; 270 feet North and 310 feet East, 540 feet South and 1020 feet East, both from the SE Corner, Section 23; Kiger Creek-SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, T. 30 S., R. 33 E., W. M.; 4600 feet South and 880 feet East from the NE Corner, Section * 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-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

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* 10, 6120 feet North and 2600 feet West, 2120 feet North and 1000 feet West, 50 feet South and 1200 feet West, all from the SE Corner, Section 23.

Kiger Creek

2.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
6.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
5.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
18.3 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
6.9 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10

9.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
1.4 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.4 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
10.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14

9.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 15

7.3 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
3.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
4.4 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
4.1 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
0.5 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.4 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23

T. 30 S., R. 33 E., W. M.

Deep Creek

12.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
9.4 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23

3.5 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 24

3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$

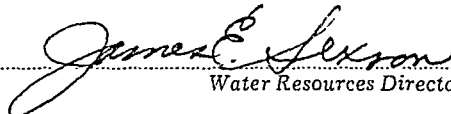
Section 25

T. 30 S., R. 33 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. May 1, 1978


Water Resources Director