

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK CLUSTER
RILEY, OREGON

confirms the right to use the waters of SILVER CREEK, a tributary of HARNEY LAKE, for the purpose of IRRIGATING 380.9 ACRES.

The right has been perfected under Permit 19162. The date of priority is MARCH 13, 1950. The right is limited to not more than 6.35 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 3, T 24 S, R 27 E, W.M.

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-SIXTIETH 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

NE 1/4 NE 1/4 16.0 ACRES
 NW 1/4 NE 1/4 0.8 ACRE
 SW 1/4 NE 1/4 34.2 ACRES
 SE 1/4 NE 1/4 40.0 ACRES
 NE 1/4 NW 1/4 0.4 ACRE
 SE 1/4 NW 1/4 16.0 ACRES
 NE 1/4 SE 1/4 40.0 ACRES
 NW 1/4 SE 1/4 27.6 ACRES
 SW 1/4 SE 1/4 5.0 ACRES
 SE 1/4 SE 1/4 33.0 ACRES

SECTION 3

NE 1/4 NW 1/4 20.6 ACRES
 NW 1/4 NW 1/4 22.0 ACRES
 SE 1/4 NW 1/4 35.0 ACRES
 NE 1/4 SW 1/4 38.0 ACRES
 NW 1/4 SW 1/4 16.4 ACRES
 SE 1/4 SW 1/4 4.3 ACRES
 NW 1/4 SE 1/4 2.8 ACRES
 SW 1/4 SE 1/4 22.0 ACRES
 SE 1/4 SE 1/4 6.8 ACRES

SECTION 11

TOWNSHIP 24 SOUTH, RANGE 27 EAST, W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 29359, Volume 21, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on JANUARY 26, 1989.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date MAY 11, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 61054

19162.BE