

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLM No. 48-4829

U.S. BUREAU OF LAND MANAGEMENT
VALE DISTRICT OFFICE
100 OREGON STREET
VALE, OREGON 97918

confirms the right to store the waters of SIMMONS GULCH, a tributary of MALHEUR RIVER, in DUKE RESERVOIR, for LIVESTOCK AND WILDLIFE.

The right to store these waters was perfected under Reservoir Permit R-8797. The date of priority is August 6, 1979. The amount of water entitled to be stored each year under this right is not more than 1.04 acre-feet.

The reservoir is located within:

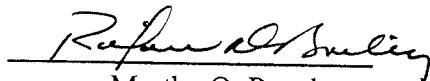
NW 1/4 NW 1/4
SECTION 22
TOWNSHIP 21 SOUTH, RANGE 40 EAST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE NAME OF THE SOURCE AND SUPERSEDES CERTIFICATE 74698.

The right to the use of the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed DECEMBER 16, 1997.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75417.

R-59167.KDD