

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ARTHUR AND MARILYN WITTROCK
HC 71, BOX 69R
BURNS, OREGON 97720

confirms the right to use the waters of TWO SPRINGS, in the DEER CREEK BASIN, for LIVESTOCK WATERING.

This right was perfected under Permit 52883. The date of priority is SEPTEMBER 28, 1992. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 SW 1/4, SECTION 34, TOWNSHIP 19 SOUTH, RANGE 31 EAST, W.M.;
SPRING 1 - 230 FEET NORTH AND 148 FEET WEST; SPRING 2 - 192 FEET NORTH AND 102 FEET WEST; BOTH FROM THE SOUTH 1/4 CORNER OF SECTION 34.

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

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

SE 1/4 SW 1/4
SECTION 34
TOWNSHIP 19 SOUTH, RANGE 31 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Water shall be diverted to a trough or tank through and enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed, the equivalent to, 0.10 cubic foot per second of water per 1000 head of livestock.

SEE NEXT PAGE

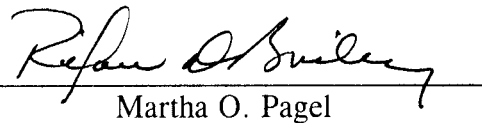
This right is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed SEPTEMBER 2, 1998.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75795.