

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. MALHEUR NATIONAL FOREST
P.O. BOX 909
JOHN DAY, OREGON 97845

confirms the right to use the waters of WADE SPRING, YELLOWJACKET, ALTNOW SPRING, GEORGE RILEY SPRING, JORDAN SPRING, AND MIKE ACTON SPRING tributaries to MILLER FLAT CREEK for LIVESTOCK.

This right was perfected under Permit 49513. The date of priority is MAY 20, 1985. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 CUBIC FOOT PER SECOND (CFS) FROM EACH SOURCE PROVIDED THE TOTAL QUANTITY DIVERTED FROM THE COMBINED SOURCES SHALL NOT EXCEED 0.01 CFS, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

WADE SPRING:	SE 1/4 SE 1/4, SECTION 26, TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.; 300 FEET NORTH AND 200 FEET WEST FROM THE SE CORNER OF SECTION 26; AND
YELLOWJACKET:	NE 1/4 NE 1/4, SECTION 35, TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.; 1300 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 35; AND
ALTNOW SPRING:	SW 1/4 NW 1/4, SECTION 36, TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.; 1700 FEET SOUTH AND 100 FEET EAST FROM THE NW CORNER OF SECTION 36; AND
GEO. RILEY SPRING:	SW 1/4 SE 1/4, SECTION 32, TOWNSHIP 17 SOUTH, RANGE 34 EAST, W.M.; 300 FEET NORTH AND 1400 FEET WEST FROM THE SE CORNER OF SECTION 32; AND
JORDAN SPRING:	SW 1/4 NE 1/4, SECTION 1, TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.; 2400 FEET SOUTH AND 2100 FEET WEST FROM THE NE CORNER OF SECTION 1; AND
MIKE ACTON SPRING:	LOT 1 (NE 1/4 NE 1/4), SECTION 5, TOWNSHIP 18 SOUTH, RANGE 34 WEST, W.M.; 500 FEET SOUTH AND 200 FEET WEST FROM THE NE CORNER OF SECTION 5.

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:

Certificate number 77153.

SE 1/4 SE 1/4 WADE SPRING
SECTION 26
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

NE 1/4 NE 1/4 YELLOWJACKET
SECTION 35
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

SW 1/4 NW 1/4 ALTNOW SPRING
SECTION 36
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

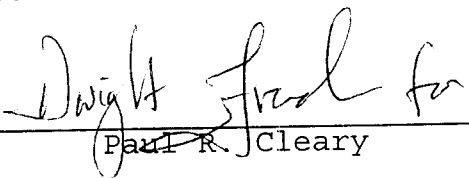
SW 1/4 SE 1/4 GEORGE RILEY SPRING
SECTION 32
TOWNSHIP 17 SOUTH, RANGE 34 EAST, W.M.

SW 1/4 NE 1/4 JORDAN SPRING
SECTION 1
TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.

LOT 5 (NE 1/4 NE 1/4) MIKE ACTON SPRING
SECTION 5
TOWNSHIP 18 SOUTH, RANGE 34 EAST, W.M.

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 August 29, 2001.


Paul R. Cleary

Recorded in State Record of Water Right Certificate Number 77153.