

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 WIDOW B SPRING AND ELK SPRING, tributaries to PINE CREEK for LIVESTOCK.

This right was perfected under Permit 49518. 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 0.015 CUBIC FOOT PER SECOND (CFS) FROM EACH SOURCE PROVIDED THE TOTAL QUANTITY DIVERTED FROM THE COMBINED SOURCES SHALL NOT EXCEED 0.015 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:

WIDOW B SPRING: NW 1/4 NW 1/4, SECTION 13, TOWNSHIP 20 SOUTH, RANGE 33 EAST, W.M.; 1200 FEET SOUTH AND 1200 FEET EAST FROM THE NW CORNER OF SECTION 13; AND

ELK SPRING: SE 1/4 NW 1/4, SECTION 13, TOWNSHIP 20 SOUTH, RANGE 33 EAST, W.M.; 2400 FEET SOUTH AND 2300 FEET EAST FROM THE NW CORNER OF SECTION 13.

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

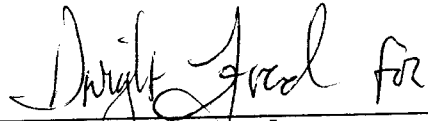
A description of the place of use to which this right is appurtenant is as follows:

NW 1/4 NW 1/4 WIDOW B SPRING
SECTION 13
TOWNSHIP 20 SOUTH, RANGE 33 EAST, W.M.

SE 1/4 NW 1/4 ELK SPRING
SECTION 13
TOWNSHIP 20 SOUTH, RANGE 33 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 77158.