

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 NO NAME SPRING #2 AND FARLEY SPRING, tributaries of MUDDY CREEK for LIVESTOCK.

This right was perfected under Permit 49523. 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:

NO NAME SPRING #2: SE 1/4 SW 1/4, SECTION 26, TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.; 1000 FEET NORTH AND 2300 FEET EAST FROM THE SW CORNER OF SECTION 26; AND

FARLEY SPRING: NW 1/4 NW 1/4, SECTION 35, TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.; 400 FEET SOUTH AND 500 FEET EAST FROM THE NW CORNER OF SECTION 35.

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

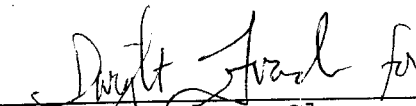
A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 SW 1/4 NO NAME SPRING #2
SECTION 26
TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.

NW 1/4 NW 1/4 FARLEY SPRING
SECTION 35
TOWNSHIP 19 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 77163.