

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 SIDEHILL, PINE TREE AND McEWAN SPRING, tributaries of MUDDY CREEK for LIVESTOCK.

This right was perfected under Permit 49527. 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:

SIDEHILL: SW 1/4 SW 1/4, SECTION 13, TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.; 1000 FEET NORTH AND 1300 FEET EAST FROM THE SW CORNER OF SECTION 13; AND

PINE TREE: SW 1/4 NE 1/4, SECTION 14, TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.; 1900 FEET SOUTH AND 2100 FEET WEST FROM THE NE CORNER OF SECTION 14; AND

McEWAN SPRING: SW 1/4 NW 1/4, SECTION 23, TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.; 2200 FEET SOUTH AND 1100 FEET EAST FROM THE NW CORNER OF SECTION 23.

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:

SW 1/4 SW 1/4 SIDEHILL
 SECTION 13
TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.

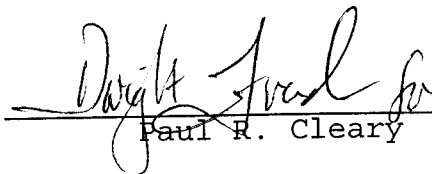
SW 1/4 NE 1/4 PINE TREE
 SECTION 14
TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.

SW 1/4 NW 1/4 McEWAN SPRING
 SECTION 23
TOWNSHIP 19 SOUTH, RANGE 33 EAST, W.M.

Certificate number 77167.

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 77167.

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