

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 SAGEHEN SPRING, N. SUMMIT SPRING, SUMMIT SPRING AND IZEE SPRING, tributaries of WEST FORK-HAY CREEK for LIVESTOCK.

This right was perfected under Permit 50620. The date of priority is SEPTEMBER 26, 1983. 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), BEING 0.01 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:

SAGEHEN SPRING: SE 1/4 SW 1/4, SECTION 28, TOWNSHIP 19 SOUTH, RANGE 29 EAST, W.M.; 200 FEET NORTH AND 1700 FEET EAST FROM THE SW CORNER OF SECTION 28; AND

N. SUMMIT SPRING: SE 1/4 NW 1/4, SECTION 22, TOWNSHIP 19 SOUTH, RANGE 29 EAST, W.M.; 2200 FEET SOUTH AND 1700 FEET EAST FROM THE NW CORNER OF SECTION 22; AND

SUMMIT SPRING: NE 1/4 SW 1/4, SECTION 22, TOWNSHIP 19 SOUTH, RANGE 29 EAST, W.M.; 1700 FEET NORTH AND 1700 FEET EAST FROM THE SW CORNER OF SECTION 22; AND

IZEE SPRING: SW 1/4 SW 1/4, SECTION 26, TOWNSHIP 19 SOUTH, RANGE 29 EAST, W.M.; 900 FEET NORTH AND 900 FEET EAST FROM THE SW CORNER OF SECTION 26.

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 SAGEHEN SPRING
SECTION 28
TOWNSHIP 19 SOUTH, RANGE 29 EAST, W.M.

SE 1/4 NW 1/4 N. SUMMIT SPRING
SECTION 22
TOWNSHIP 19 SOUTH, RANGE 29 EAST, W.M.

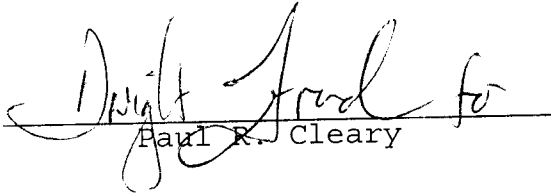
Certificate number 77205

NE 1/4 SW 1/4 SUMMIT SPRING
SECTION 22
TOWNSHIP 19 SOUTH, RANGE 29 EAST, W.M.

SW 1/4 SW 1/4 IZEE SPRING
SECTION 26,
TOWNSHIP 19 SOUTH, RANGE 29 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 77205.