STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. WALLOWA-WHITMAN NATIONAL FOREST
P.O. BOX 907
BAKER CITY, OREGON 97814

confirms the right to use the waters of CUTOFF TROUGH SPRING, a tributary of an UNNAMED STREAM, a tributary of CATHERINE CREEK, a tributary of the GRANDE RONDE RIVER for LIVESTOCK.

This right was perfected under Permit 53139. The date of priority is SEPTEMBER 6, 1983. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.00084 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 15, TOWNSHIP 5 SOUTH, RANGE 41 EAST, W.M.; 2584 FEET SOUTH AND 66 FEET WEST FROM THE NE CORNER OF SECTION 15.

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 NE 1/4
SECTION 15
TOWNSHIP 5 SOUTH, RANGE 41 EAST, W.M.

Measurement, recording and reporting conditions:

A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.

B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed October 26, 2001.

Paul R. Cleary

Recorded in State Record of Water Right Certificate Number 78130.

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