

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. UMATILLA NATIONAL FOREST
2517 SW HAILEY AVENUE
PENDLETON, OREGON 97801

confirms the right to store the waters of an UNNAMED STREAM, a tributary of KAHLER CREEK in MAHOGANY BUTTE AND CHOKECHERRY POND RESERVOIRS FOR LIVESTOCK.

The right to store these waters was perfected under Reservoir Permit R-11338. The date of priority is OCTOBER 3, 1983. The amount of water entitled to be stored each year under this right is not more than 0.09 ACRE-FOOT (AF); BEING 0.06 AF IN MAHOGANY BUTTE AND 0.03 AF IN CHOKECHERRY POND. No water shall be appropriated for storage during the period from June 15 to November 30 of each year.

The reservoirs are located as follows:

SW 1/4 SW 1/4 MAHOGANY BUTTE
SE 1/4 SW 1/4 CHOKECHERRY POND
SECTION 23
TOWNSHIP 7 SOUTH, RANGE 25 EAST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provisions of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

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.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

The storage allowed 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 November 23, 2001.


Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 78588.

R-67303.GB