

STATE OF OREGON
COUNTIES OF HARNEY AND GRANT
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 SECTION 35 NWSW, THISTLEDOWN TROUGH, BENTZ FOLLY, BEDROCK, SQUAW, MAGPIE, BUCK, MAHOGANY, McMULLEN, COW AND CAPBOX SPRINGS, tributaries of MALHEUR RIVER for LIVESTOCK.

This right was perfected under Permit 50341. The date of priority is AUGUST 26, 1983. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 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 points of diversion are located as follows:

SECTION 35 NWSW: NW 1/4 SW 1/4, SECTION 35, TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.; 2400 FEET NORTH AND 200 FEET EAST FROM THE SW CORNER OF SECTION 35; AND

THISTLEDOWN TROUGH: NW 1/4 SW 1/4, SECTION 2, TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.; 2200 FEET NORTH AND 600 FEET EAST FROM THE SW CORNER OF SECTION 2; AND

BENTZ FOLLY: SW 1/4 NE 1/4, SECTION 28, TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.; 2100 FEET SOUTH AND 2300 FEET WEST FROM THE NE CORNER OF SECTION 28; AND

BEDROCK: NW 1/4 SW 1/4, SECTION 5, TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.; 2400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER OF SECTION 5; AND

SQUAW: LOT 1 (NE 1/4 NE 1/4), SECTION 4, TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.; 400 FEET SOUTH AND 500 FEET WEST FROM THE NE CORNER OF SECTION 4; AND

MAGPIE: SW 1/4 SE 1/4, SECTION 21, TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.; 1000 FEET NORTH AND 2300 FEET WEST FROM THE SE CORNER OF SECTION 21; AND

BUCK: NE 1/4 SE 1/4, SECTION 30, TOWNSHIP 17 SOUTH AND
RANGE 33.5 EAST, W.M.; 2100 FEET NORTH AND 1100
FEET WEST FROM THE SE CORNER OF SECTION 30; AND

MAHOGANY: SE 1/4 SE 1/4, SECTION 21, TOWNSHIP 17 SOUTH,
RANGE 33.5 EAST, W.M.; 100 FEET NORTH AND 700 FEET
WEST FROM THE SE CORNER OF SECTION 21; AND

MCMULLEN: SE 1/4 SE 1/4, SECTION 20, TOWNSHIP 17 SOUTH,
RANGE 33.5 EAST, W.M.; 100 FEET NORTH AND 800 FEET
WEST FROM THE SE CORNER OF SECTION 20; AND

COW: SW 1/4 NE 1/4, SECTION 20, TOWNSHIP 17 SOUTH,
RANGE 33.5 EAST, W.M.; 2300 FEET SOUTH AND 2500
FEET WEST FROM THE NE CORNER OF SECTION 20; AND

CAPBOX: SE 1/4 SE 1/4, SECTION 28, TOWNSHIP 17 SOUTH,
RANGE 33.5 EAST, W.M.; 1000 FEET NORTH AND 700
FEET WEST FROM THE SE CORNER OF SECTION 28.

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:

NW 1/4 SW 1/4 NWSW SECTION 35
SECTION 35
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

NW 1/4 SW 1/4 THISTLEDOWN TROUGH
SECTION 2
TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.

SW 1/4 NE 1/4 BENTZ FOLLY
SECTION 28
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

NW 1/4 SW 1/4 BEDROCK SPRING
SECTION 5
TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.

LOT 1 (NE 1/4 NE 1/4) SQUAW SPRING
SECTION 4
TOWNSHIP 18 SOUTH, RANGE 33.5 EAST, W.M.

SW 1/4 SE 1/4 MAGPIE SPRING
SECTION 21
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

NE 1/4 SE 1/4 BUCK SPRING
SECTION 30
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

SE 1/4 SE 1/4 MAHOGANY SPRING
SECTION 21
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

SE 1/4 SE 1/4 MCMULLEN SPRING
SECTION 20
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

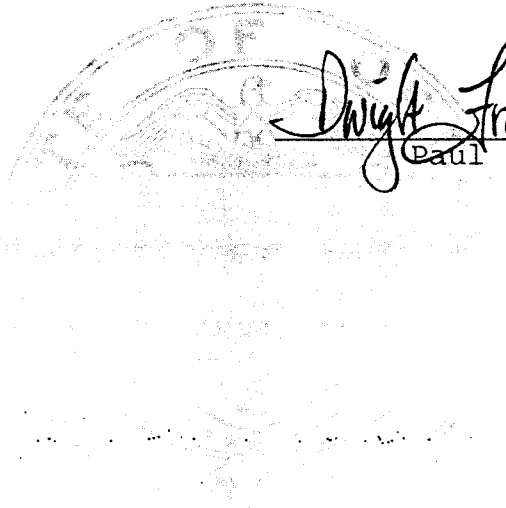
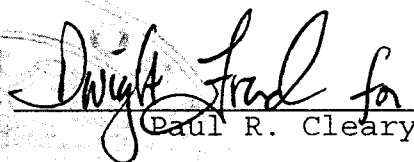
SW 1/4 NE 1/4 COW SPRING
SECTION 20
TOWNSHIP 17 SOUTH, RANGE 33.5 EAST, W.M.

SE 1/4 SE 1/4 CAPBOX SPRING
SECTION 28
TOWNSHIP 17 SOUTH, RANGE 33.5 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.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE SOURCES OF WATER, PLACE OF USE AND SUPERSEDES CERTIFICATE 77195.

WITNESS the signature of the Water Resources Director, affixed
FEBRUARY 15, 2002.



Paul R. Cleary

Recorded in State Record of Water Right Certificate Number 79187.

65628.SB