

STATE OF OREGON  
 COUNTY OF LAKE  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.R. BERNARD  
 LAKEVIEW OR 97630

confirms the right to use the waters of THOMAS CREEK, WARNER CREEK, and HOT SPRINGS, tributaries of GOOSE LAKE for LIVESTOCK and IRRIGATION of 268 acres.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Special Order Volume 7, at Page 233. The date of priority is DECEMBER 31, 1880.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 6.7 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point(s) of diversion.

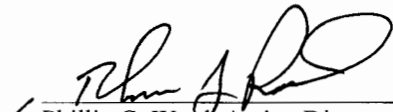
The amount of water to which this right is entitled for LIVESTOCK is limited to a reasonable amount actually used beneficially, and shall not exceed 0.025 CUBIC FEET PER SECOND per 1000 head, or its equivalent in case of rotation, measured at the point(s) of diversion. The amount of water used for IRRIGATION, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3/4 acre-foot for each acre irrigated during any 30-day period prior to June 1st, and 1/2 acre-foot per acre during any 30-day period after June 1st; and 2 1/2 acre-feet per acre during any irrigation season. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to these uses of water is restricted to beneficial use on the place of use described.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	Source
38 S	20 E	WM	31	SW NE	20.00	Thomas Creek
39 S	20 E	WM	5	NE SE	26.00	Warner Creek & Hot Springs
39 S	20 E	WM	5	NW SE	26.00	Warner Creek & Hot Springs
39 S	20 E	WM	5	SW SE	40.00	Warner Creek & Hot Springs
39 S	20 E	WM	5	SE SE	36.00	Warner Creek & Hot Springs
39 S	20 E	WM	8	NE NE	40.00	Thomas Creek, Warner Creek & Hot Springs
39 S	20 E	WM	8	NW NE	20.00	Thomas Creek, Warner Creek & Hot Springs
39 S	20 E	WM	8	SW NE	20.00	Thomas Creek, Warner Creek & Hot Springs
39 S	20 E	WM	8	SE NE	40.00	Thomas Creek, Warner Creek & Hot Springs

This certificate describes that portion of the water right confirmed by Certificate 5228, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 25 2004, approving Transfer Application 6769. The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed October 25, 2004

  
 Phillip C. Ward, Acting Director  
 Water Resources Department

Recorded in State Record of Water Right Certificates numbered 80620.