

STATE OF OREGON

County of Coos

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, That COOS BAY PULP CORPORATION of Empire, State of Oregon, has made proof to the satisfaction of the State Engineer of Oregon, of a right to the use of the waters of North Branch of First Creek, South Branch of First Creek, Second Creek, Third Creek, Fourth Creek and Tarheel Creek, tributaries of Coos Bay, and the water stored under Permits Nos. R-614, R-615, R-616, R-617, R-618, and R-619, for the purpose of municipal for the town of Empire and a supply for boilers and manufacturing purposes, under Permit No. 9013 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 10, 1927; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 4.1 cubic feet per second, being 0.5 cubic foot per second from North Branch of First Creek, 0.75 cubic foot per second from South Branch of First Creek, 0.6 cubic foot per second from Second Creek, 0.5 cubic foot per second from Third Creek, 0.75 cubic foot per second from Fourth Creek, and 1.0 cubic foot per second from Tarheel Creek, or its equivalent in case of rotation.

The points of diversion are located as follows:

- North Branch of First Creek - (NE $\frac{1}{4}$ SE $\frac{1}{4}$) A. N. Foley D. L. C. #38, Section 19, Township 25 South, Range 13 West, W. M.
- South Branch of First Creek - (SW $\frac{1}{4}$ SW $\frac{1}{4}$) P. B. Marple D. L. C. #39, Section 20, Township 25 South, Range 13 West, W. M.
- Second Creek - (NW $\frac{1}{4}$ NE $\frac{1}{4}$) E. J. Foley D. L. C. #40, Section 30, Township 25 South, Range 13 West, W. M.
- Third Creek - (NE $\frac{1}{4}$ SW $\frac{1}{4}$) E. J. Foley D. L. C. #40, Section 30, Township 25 South, Range 13 West, W. M.
- Fourth Creek - Lot 1, Section 36, Township 25 South, Range 14 West, W. M.
- Tarheel Creek - Lot 1, Section 36, Township 25 South, Range 14 West, W. M.

A description of the place of use under the right hereby confirmed and to which such right is appurtenant is as follows: E. J. Foley D. L. C. #40 (Lots 2, 3, and 4), Section 30, Township 25 South, Range 13 West, W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

NOTE: This certificate is issued to supersede certificate of water right issued to Coos Bay Pulp Corporation on July 15, 1935, and recorded in State Record of Water Right Certificates, Volume 10, Page 11192, under the provisions of an order of the State Engineer approving a change in points of diversion of water from North Branch of First Creek and South Branch of First Creek, pursuant to Section 116-606, O. C. L. A.

WITNESS the signature of the State Engineer, affixed this 12th day of November, 1941.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 12, Page 14081.