

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This is to certify, That HIGHLAND ORCHARDS

of 327 South Fir Street, Medford, State of OR 97501, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of unnamed stream, South Fork Little Butte Creek, and Coker Butte Reservoir constructed under Permit R-7949 a tributary of South Fork Upton Slough for the purpose of temperature control for 37.6 acres

under Permit No. 44486 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 September 24, 1979

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 2.71 cubic feet per second diverted from the unnamed stream, with any deficiency in the available supply of water from the unnamed stream to be made up by appropriation from South Fork Little Butte Creek, provided that the total\* or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SE 1/4, Section 29, T36S, R2E, WM; NE 1/4 NE 1/4, Section 8, T37S, R1W, WM; Creek - 600 feet South and 525 feet West from E 1/4 corner Section 29; Unnamed Stream and Reservoir - 1320 feet South and 1210 feet West from NE corner Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to \_\_\_\_\_ of one cubic foot per second per acre,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

\*quantity from both sources shall not exceed 2.71 cfs

NE 1/4 NE 1/4
Section 8
Township 37 South, Range 1 West, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. June 3, 1987

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 56207

9900D/TS
59357