

STATE OF OREGON
COUNTY OF JACKSON

Instream Lease
v 54 7 39 till 10-31-01

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BENJAMIN F. ELLIS
18485 NORTH APPLGATE ROAD
GRANTS PASS, OREGON 97526

confirms the right to use the waters of APPLGATE LAKE RESERVOIR CONSTRUCTED UNDER PERMIT R-7810, a tributary of APPLGATE RIVER, for the purpose of SUPPLEMENTAL IRRIGATION OF 79.24 ACRES.

The right has been perfected under Permit 45939. The date of priority is JULY 22, 1981. The right is limited to not more than 50.0 ACRE-FEET STORED WATER ONLY or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NE 1/4, NW 1/4 NE 1/4, SECTION 21, T 38 S, R 4 W, W.M.; 1130 FEET SOUTH AND 10 FEET WEST, 1280 FEET SOUTH AND 1830 FEET WEST, BOTH FROM NE CORNER SECTION 21. APPLGATE LAKE DAM LOCATED WITHIN S 1/2 SE 1/4, SECTION 25, T 40 S, R 4 W, W.M.

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 a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and is subject to the terms and conditions of Contract No. 1-07-10-W0318, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

The right 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, and to which such right is appurtenant, is as follows:

NE 1/4 NE 1/4	19.00 ACRES
NW 1/4 NE 1/4	26.94 ACRES
NE 1/4 NW 1/4	33.30 ACRES

SECTION 21
TOWNSHIP 38 SOUTH, RANGE 4 WEST, 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.

WITNESS the signature of the Water Resources Director, affixed this date SEPTEMBER 29, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 62400

61941.SB