

STATE OF OREGON  
COUNTY OF JACKSON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MODOC ORCHARD COMPANY  
P.O. BOX 56  
MEDFORD, OREGON 97501

confirms the right to use the waters of TWO UNNAMED STREAMS, RESERVOIRS 2 AND 3 CONSTRUCTED UNDER PERMIT R-6160 AND THE ROGUE RIVER, tributaries of the PACIFIC OCEAN, for the purpose of TEMPERATURE CONTROL FOR 56.6 ACRES.

This right has been perfected under Permit 38079. The date of priority is DECEMBER 13, 1972. This right is limited to 5.0 CUBIC FEET PER SECOND BEING 2.8 CFS FROM STREAM 1 AND 2.2 CFS FROM STREAM 2 WITH ANY DEFICIENCIES IN THE AVAILABLE SUPPLE FROM THE STREAMS OR RESERVOIRS TO BE MADE UP BY APPROPRIATION FROM THE ROGUE RIVER. THE TOTAL QUANTITY DIVERTED FROM ALL SOURCES SHALL NOT EXCEED 5.0 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:

NE 1/4 NW 1/4, SECTION 6, T 36 S, R 1 W, W.M.; TABLE ROCK CANAL - 420 FEET SOUTH AND 1810 FEET EAST FROM THE NW CORNER OF SECTION 6; NW 1/4 NW 1/4, NE 1/4 NW 1/4, SECTION 12, T 36 S, R 2 W, W.M.; STREAM 1 AND RESERVOIR 2 - 1300 FEET SOUTH AND 730 FEET EAST, STREAM 2 AND RESERVOIR 3 - 900 FEET SOUTH AND 1480 FEET EAST, BOTH FROM THE NW CORNER OF SECTION 12.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

LOT 1 (SE 1/4 NE 1/4) 5.4 ACRES  
SE 1/4 NE 1/4 2.5 ACRES  
AS PROJECTED WITHIN DLC 37  
SECTION 11

NW 1/4 NE 1/4 0.5 ACRE  
NE 1/4 NW 1/4 18.2 ACRES  
NW 1/4 NW 1/4 1.9 ACRES  
LOT 7 (SW 1/4 NW 1/4) 16.2 ACRES  
SW 1/4 NW 1/4 3.7 ACRES  
AS PROJECTED WITHIN DLC 37

LOT 8 (SE 1/4 NW 1/4) 8.2 ACRES  
SECTION 12

TOWNSHIP 36 SOUTH, RANGE 2 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. This right 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  
JANUARY 3, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65102.

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