

STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLAMETTE PASS SKI CORPORATION
PO BOX 5509
EUGENE, OR 97405-0509

confirms the right to use the waters of ODELL LAKE, a tributary of ODELL CREEK, for MECHANICAL GENERATION OF SNOW FOR RECREATIONAL USE.

This right was perfected under Permit 50864. The date of priority is DECEMBER 28, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.33 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 8, T 23 S, R 6 E, W.M.; SOUTH 23 DEGREES 32 MINUTES EAST, 4285 FEET FROM THE NW CORNER OF SECTION 8.

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

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

SE 1/4 SW 1/4
NE 1/4 SE 1/4
S 1/2 SE 1/4
SECTION 5

N 1/2 N 1/2
SECTION 8

TOWNSHIP 23 SOUTH, RANGE 6 EAST, W.M.

All of the above described place of use is located within the Odell Lake drainage. No use of water shall occur outside this area.

The use allowed herein is limited to the period of OCTOBER 15 THROUGH APRIL 15 OF EACH YEAR WHENEVER MECHANICAL GENERATION OF SNOW IS NECESSARY and the use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

SEE NEXT PAGE

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed NOVEMBER 12 ,
1996.

/s/ Richard D. Bailey
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 73175.