

STATE OF OREGON
COUNTY OF Jackson

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT
3040 BIDDLE RD
MEDFORD, OR 97504

confirms the right to store the waters of
PORCUPINE CREEK, SPRINGS AND UNNAMED STREAMS, TRIBUTARIES OF BALDY,
EMIGRANT AND GREEN MOUNTAIN CREEKS
for LIVESTOCK, WILDLIFE, FIRE PROTECTION AND ROAD
OPERATIONS.

The right to store and use these waters was perfected under Reservoir Application R-79244.
The date of priority is January 1, 1993. The amount of water entitled to be stored and
used each year under this right is not more than 0.505 ACRE-FOOT, BEING
0.152 AF IN BALDY CREEK RES, 0.086 AF IN BALDY CREEK PUMP CHANCE
RES, 0.020 AF IN LITTLE PILOT BUTTE RES, 0.011 AF IN PORCUPINE CREEK
RES, 0.223 AF IN EMIGRANT SPRING RES AND 0.013 AF IN PORCUPINE MTN
RES

Located as follows:

NE 1/4 NE 1/4 SECTION 29, TOWNSHIP 40 SOUTH, RANGE 3 EAST WM.
NE 1/4 SE 1/4 SECTION 19, TOWNSHIP 40 SOUTH, RANGE 3 EAST WM.
SW 1/4 NE 1/4 SECTION 29, TOWNSHIP 40 SOUTH, RANGE 3 EAST WM.
NW 1/4 NE 1/4 SECTION 36, TOWNSHIP 40 SOUTH, RANGE 2 EAST WM.
SW 1/4 NE 1/4 SECTION 25, TOWNSHIP 40 SOUTH, RANGE 2 EAST WM.
NW 1/4 SW 1/4 SECTION 35, TOWNSHIP 40 SOUTH, RANGE 2 EAST WM.

ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish Screening Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed **JANUARY 6, 1997**.



Martha O. Pagel

This Certificate is issued to correctly describe the above reservoir(s) and supercedes Certificate 71448

Recorded in State Record of Water Right Certificates numbered 73914