

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310

confirms the right to use the waters of SUCKER CREEK, a tributary of the EAST FORK ILLINOIS RIVER, to maintain instream flows for FISHERIES ENHANCEMENT.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 1, at Page 252. The date of priority is 1857.

The amount of water to which this right is entitled is limited to 0.139 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the original point of diversion from the source, during the period from April 1 to October 1, of each year.

The original point of diversion is located as follows:

BRIGGS-TANNERY DITCH, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 31, T 39 S, R 7 W, WM; 2500 FEET NORTH AND 300 FEET EAST FROM THE S $\frac{1}{4}$ CORNER, SECTION 31,

A description of the stream reach to which this right is appurtenant is as follows:

From the authorized point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 31, T 39 S, R 7 W, WM; BRIGGS-TANNERY DITCH, 2500 FEET NORTH AND 300 FEET EAST FROM THE S $\frac{1}{4}$ CORNER, SECTION 31, to the mouth, in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 35, T 39 S, R 8 W, WM.

The stream channel immediately below the original point of diversion loses water flow, in some years, due to gravel conditions. The water flow returns prior to the stream crossing the west line of Section 31, T 39 S, R 7 W, WM. No regulatory action will be taken to maintain the flow between the original point of diversion and the west line of Section 31, if the instream flow is present at the original point of diversion and the west line of Section 31.

This instream right shall replace a portion of the existing instream water right for Sucker Creek, evidenced by Certificate 62323, during the period from April 1 to October 31, of each year.

This certificate is issued to confirm a change in use and place of use approved by an order of the Water Resources Director approving Transfer 8094, and supersedes Certificates 72373, State Record of Water Right Certificates.

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 and is subject to all other conditions and limitations contained in said decree.

affixed WITNESS the signature of the Water Resources Director,
January 5, 1999.

/s/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75938.

T-8094.LHN