

STATE OF OREGON
COUNTY OF JACKSON
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 EVANS CREEK, a tributary of THE ROGUE RIVER, to maintain instream flow for INSTREAM USES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 1. The date of priority is 1896, plus one minute.

The use is limited to 0.021 CUBIC FOOT PER SECOND, not to exceed 8.9 acre-feet during the period of the irrigation season commencing subsequent to the 1st of April and terminating before the 1st of November of each year, if available at the original point of diversion of the right being at the head of the WILLIAMS AND WHALEN DITCH, or its equivalent in case of rotation, measured at the point of diversion from the source. The quantity of water at the upstream point of the instream right, shall not exceed the quantity of water available at the original point of diversion.

The reach of the instream right is described as follows:

Upstream point (River Mile 9 - Evans Creek) - NW 1/4 SW 1/4, SECTION 11, T 35 S, R 4 W, W.M.; 370 FEET NORTH AND 80 FEET WEST FROM THE SE CORNER OF THE NW 1/4 SW 1/4 OF SECTION 11.

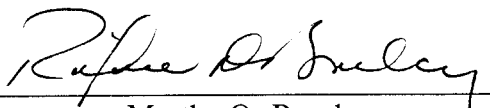
Downstream point (River Mile 0 - Evans Creek and the confluence with the Rogue River) - SE 1/4 SE 1/4, SECTION 16, T 36 S, R 4 W, W.M.; near the East 1/16 Corner Sections 16 and 21.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director entered JANUARY 6, 1999, and together with Certificate 76034, supersedes Certificate 68635, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director, affixed APRIL 6, 1999.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76035.

CWA9802B.SB