

STATE OF OREGON
COUNTY OF TILLAMOOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE
2501 SW 1ST AVENUE
PORTLAND, OREGON 97201

confirms the right to use the waters of MARY'S CREEK, a tributary of GOLD CREEK, for FISH HATCHERY.

This right was perfected under Permit 52520. The date of priority is JANUARY 31, 1991. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.0 CUBIC FOOT 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:

Lot 1 (NE 1/4 NE 1/4), SECTION 1, TOWNSHIP 2 SOUTH, RANGE 9 WEST, W.M.;
251.81 FEET SOUTH AND 314.19 FEET WEST FROM THE NW CORNER OF LOT 4 (SW 1/4 SW 1/4) SECTION 31, TOWNSHIP 1 SOUTH, RANGE 8 WEST, W.M.

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:

LOT 3 (NW 1/4 SW 1/4)
LOT 4 (SW 1/4 SW 1/4)
SECTION 31
TOWNSHIP 1 SOUTH, RANGE 8 WEST, W.M.

LOT 1 (NE 1/4 NE 1/4)
SECTION 1
TOWNSHIP 2 SOUTH, RANGE 9 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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.

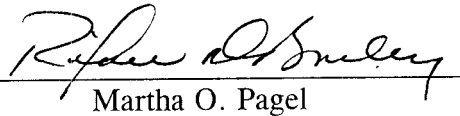
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The water user shall install, maintain, and operate fish screening to prevent fish from entering the diversion. The water user shall also install a fish way at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fish way are to be in place and functional, and the fish way must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

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 water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 MARCH 31, 1999.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76072.