

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 SOUTH FORK OF LITTLE BUTTE CREEK, a tributary of LITTLE BUTTE CREEK, 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 14, at Page 498. The date of priority is 1882, plus one minute.

The use is limited to 0.05 CUBIC FOOT PER SECOND, not to exceed 18.11 acre-feet from April 1<sup>st</sup> to October 1<sup>st</sup> of each year, if available at the original point of diversion of the right being at the head of the TONN AND PECK DITCH (NW 1/4 NW 1/4, SECTION 3, TOWNSHIP 37 SOUTH, RANGE 2 EAST, W.M.) 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 3) - TONN AND PECK DITCH; NW 1/4 NW 1/4, SECTION 3, TOWNSHIP 37 SOUTH, RANGE 2 EAST, W.M.;

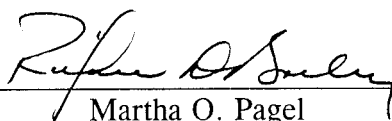
Downstream point (River Mile 0 - Mouth of South Fork Little Butte Creek) - SE 1/4 SW 1/4, SECTION 20, TOWNSHIP 36 SOUTH, RANGE 2 EAST, W.M.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director entered FEBRUARY 18, 1999, and together with Certificates 76175 and 76176, supersedes Certificate 17211, 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 May 20, 1999.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76177.

CWA9803.SB