

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RODNEY A. WITHAM
3711 LIVINGSTON ROAD
CENTRAL POINT, OREGON 97502

confirms the right to use the waters of ONE WELL in the BEAR CREEK BASIN for IRRIGATION.

This right was perfected under Permit G-11043. The date of priority is SEPTEMBER 20, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.033 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NW 1/4, SECTION 29, TOWNSHIP 37 SOUTH, RANGE 2 WEST, W.M.; 1115 FEET SOUTH AND 1753 FEET EAST FROM THE NW CORNER OF SECTION 29.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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:

NE 1/4 NW 1/4 2.65 ACRES
SECTION 29
TOWNSHIP 37 SOUTH, RANGE 2 WEST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

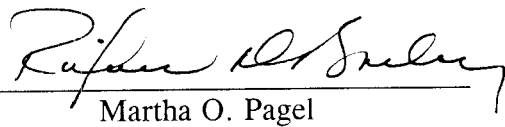
The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

The Director may require water level or pump test results every ten years.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights. The Rogue River Basin program adopted by the Water Resources Commission withdrew the waters of Bear Creek and tributaries from further appropriation except for beneficial uses involving water legally stored in excess of the amount necessary for existing rights. Use of water from the well shall be limited if it results in any depletion of flows in Bear Creek or any of its tributaries.

WITNESS the signature of the Water Resources Director, affixed OCTOBER 29, 1999.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76325.