

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DON AND PAT HIGBY
471 W. PICKETT CREEK RD
GRANTS PASS, OR 97527

confirms the right to use the waters of CHINA GULCH, a tributary of PICKETT CREEK, for HUMAN CONSUMPTION FOR ONE HOUSEHOLD.

This right was perfected under Permit 51860. The date of priority is JULY 27, 1987. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 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:

NE 1/4 SE 1/4, SECTION 27, TOWNSHIP 35 SOUTH, RANGE 7 WEST, W.M.; 900 FEET SOUTH AND 390 FEET EAST OF THE SW CORNER OF THE SE 1/4 NE 1/4, SECTION 27.

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:

SE 1/4 NE 1/4
SECTION 27
TOWNSHIP 35 SOUTH, RANGE 7 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- 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.

The water user shall install, maintain, and operate fish screening to prevent fish from entering the diversion. The required screen is to be in place, functional, and approved by Oregon Department of Fish and Wildlife.

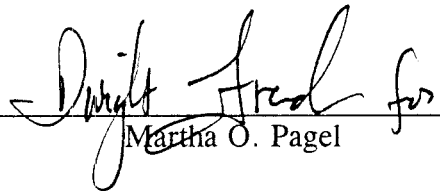
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the 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 the use of best practical technologies or conservation practices to achieve this end.

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 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 JANUARY 31, 2000.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76392.