

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT
SALEM, OREGON 97301

confirms the right to use the waters of JENNY CREEK, a tributary of the KLAMATH RIVER, for INSTREAM USES.

This right was perfected under Permit 23459. The date of priority is MARCH 22, 1955. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.72 CUBIC FEET 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:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 16, TOWNSHIP 40 SOUTH, RANGE 4 EAST, W.M.; 1240 FEET NORTH AND 2990 FEET WEST OF SE CORNER, SECTION 16;

The instream right created by this right is limited to 1.72 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source, DURING THE PERIOD OF THE IRRIGATION SEASON OF JUNE 1 TO SEPTEMBER 13 OF EACH YEAR, if available at the original point of diversion of the rights. The date of priority is MARCH 22, 1955.

The reach of the instream right is described as follows:

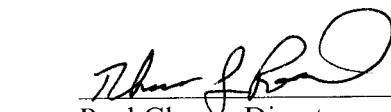
Upstream point: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 16, TOWNSHIP 40 SOUTH, RANGE 4 EAST, W.M.; 1240 FEET NORTH AND 2990 FEET WEST OF SE CORNER, SECTION 16
Downstream point: THE OREGON - CALIFORNIA BORDER, IN THE SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 9, TOWNSHIP 41 SOUTH, RANGE 4 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 38956, State Record of Water Right Certificates, modified by the provisions of an order of the Water Resources Director entered FEBRUARY 16, 2001, approving Transfer Application 8504.

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. 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 FEBRUARY 16, 2001.



For Paul Cleary, Director

Recorded in State Record of Water Right Certificates numbered 76700.