

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON WATER TRUST
111 SW NAITO PARKWAY, SUITE 404
PORTLAND, OREGON 97204

confirms the right to use the waters of COURTNEY CREEK, a tributary of GRANDE RONDE RIVER, for FLOW AUGMENTATION FOR FISH ENHANCEMENT.

This right was perfected under Permit 33108. The date of priority is DECEMBER 19, 1967. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 CUBIC FOOT PER SECOND AND NOT TO EXCEED A VOLUME OF 20.7 ACRE-FEET DURING THE PERIOD OF JUNE 1 TO SEPTEMBER 30 OF EACH YEAR, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 NE 1/4, SECTION 9, TOWNSHIP 5 NORTH, RANGE 43 EAST, W.M.; 1050 FEET SOUTH AND 1950 FEET EAST FROM THE N 1/4 CORNER, SECTION 9, DOWNSTREAM TO THE MOUTH OF COURTNEY CREEK LOCATED WITHIN NE 1/4 NE 1/4, SECTION 9, TOWNSHIP 5 NORTH, RANGE 43 EAST, W.M.

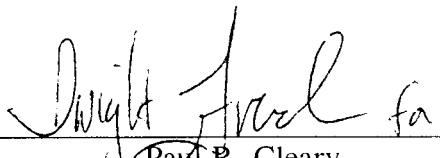
The water user shall work with the Department to develop and implement a strategy for monitoring the flows for flow augmentation.

This certificate is issued to confirm a change in USE AND PLACE OF USE approved by an order of the Water Resources Director entered FEBRUARY 23, 1998, and together with Certificate 75500, supersedes Certificate 41171, 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. 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 APRIL 6, 2001.


Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76857.