

STATE OF OREGON  
COUNTY OF Josephine

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF LAND MANAGEMENT  
3040 BIDDLE RD  
MEDFORD, OR 97504

confirms the right to store the waters of UNNAMED STREAMS, TRIBUTARIES OF RUM CREEK, EAST FORK RUM CREEK, A TRIBUTARY OF ROGUE RIVER, AN UNNAMED STREAM, A TRIBUTARY OF BAILEY CREEK, AN UNNAMED SPRING, A TRIBUTARY OF QUARTZ CREEK, QUARTZ CREEK, A TRIBUTARY OF NORTH FORK GALICE CREEK, AND UNNAMED STREAM, TRIBUTARIES OF NORTH FORK GALICE CREEK IN TEN RESERVOIRS for WILDLIFE, FIRE PROTECTION AND ROAD OPERATIONS.

The right to store and use these waters was perfected under Reservoir Application R-78694. The date of priority is January 1, 1993. The amount of water entitled to be stored and used each year under this right is not more than 0.4404 ACRE-FOOT, BEING 0.0014 AF IN W FK RUM CREEK 3, 0.006 AF IN W FK RUM CREEK 1, 0.052 AF IN RUM CREEK RES, 0.016 AF IN BAILEY CREEK RES, 0.002 AF IN W FK RUM CREEK 2 RES, 0.27 AF IN PEAVINE HELIPOND RES, 0.03 AF IN PEAVINE PC1 RES, 0.014 AF IN PEAVINE PC2 RES, 0.046 AF IN PAT CREEK RES, AND 0.003 AF IN NORTH FORK GALICE RES.

Located as follows:

SE 1/4 NW 1/4 SECTION 9, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
NW 1/4 SE 1/4 SECTION 10, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
NE 1/4 NE 1/4 SECTION 10, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
SE 1/4 SW 1/4 SECTION 15, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
SE 1/4 NE 1/4 SECTION 16, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
SW 1/4 SE 1/4 SECTION 21, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
NW 1/4 SE 1/4 SECTION 21, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
NW 1/4 NE 1/4 SECTION 28, TOWNSHIP 34 SOUTH, RANGE 8 WEST WM.  
NW 1/4 SE 1/4 SECTION 6, TOWNSHIP 35 SOUTH, RANGE 8 WEST WM.  
NE 1/4 NE 1/4 SECTION 7, TOWNSHIP 35 SOUTH, RANGE 8 WEST WM.

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76904

ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

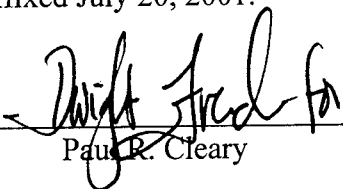
If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish Screening Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE SOURCE OF WATER AND SUPERSEDES CERTIFICATE 73865.

WITNESS the signature of the Water Resources Director, affixed July 20, 2001.

  
Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76904.