

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GRANTS PASS IRRIGATION DISTRICT
200 FRUITDALE DRIVE
GRANTS PASS, OREGON 97527

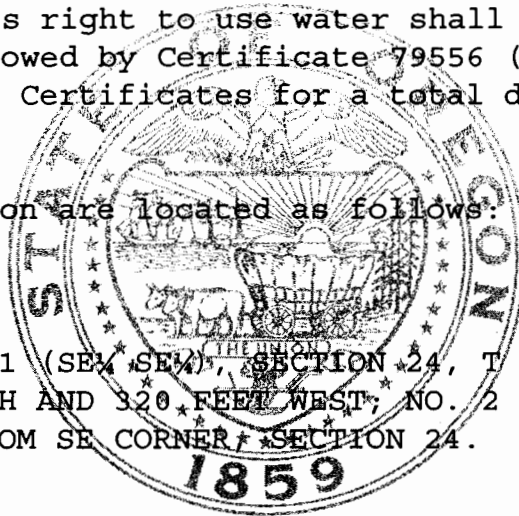
confirms the right to use the waters of the ROGUE RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION.

This right was perfected under Permit 50957. The date of priority is AUGUST 21, 1987. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 52.32 CUBIC FEET PER SECOND (CFS) or its equivalent in case of rotation, measured at the point of diversion from the source. Provided further, this right to use water shall be in addition to that quantity of water allowed by Certificate 79556 (Permit 8853), State Record of Water Right Certificates for a total diversion not to exceed 149.26 CFS.

The points of diversion are located as follows:

Savage Rapids Dam

LOT 8 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), LOT 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), SECTION 24, T 36 S, R 5 W, W.M.;
NO. 1 - 550 FEET NORTH AND 320 FEET WEST; NO. 2 - 900 FEET NORTH AND
20 FEET WEST, BOTH FROM SE CORNER, SECTION 24.



This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

Replacement Diversions for Savage Rapids Dam Diversion

SE¼ SE¼, SECTION 24, T 36 S, R 5 W, W.M.; POD 1 - 900 FEET NORTH AND 300 FEET WEST; POD 2 - 925 FEET NORTH AND 100 FEET WEST, BOTH FROM SE¼ CORNER, SECTION 24.

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:

Those lands described under Certificate 50650 as modified by any subsequent water right action such as HB 3111 petition, cancellation orders or water right transfer orders and resulting certificates, provided the total number of acres to receive water shall not exceed 7761.77 acres of land.

The amount of water used for irrigation under this certificate, together with the amount secured under water right Certificate 79556 (Permit 8853), shall be limited to a diversion of ONE-FIFTY-SECOND (1/52) of one cubic foot per second (or its equivalent) and 6 acre-feet per year for each acre irrigated during the irrigation season of each year from direct flow and storage.

The District shall comply with the terms and conditions of the Consent Decree, entered in the Federal District Court for the District of Oregon, Civil No. 98-3034-HO, on August 27, 2001, between the United States of America, Waterwatch of Oregon, Inc., Trout Unlimited, Pacific Coast Federation of Fishermen Association, Institute of Fisheries Resources, Klamath Forest Alliance, Oregon Natural Resources Council, Siskiyou Regional Education Project, Sierra Club, Northcoast Environmental Center, Environmental Protection Information Center, Curry County Guides Association, Northwest Sportfishing Industries Association, State of Oregon and the Grants Pass Irrigation District ("Consent Decree"). For convenience, a copy of the Consent Decree is attached to this Certificate as Attachment A.

Diversion of any water allowed under this right is prohibited from Savage Rapids Dam (LOT 8 (SE¼ SE¼), LOT 1 (SE¼ SE¼), SECTION 24, T 36 S, R 5 W, W.M.; NO. 1 - 550 FEET NORTH AND 320 FEET WEST; NO. 2 - 900 FEET NORTH AND 20 FEET WEST, BOTH FROM SE CORNER, SECTION 24) after November 1, 2005, unless extended up to but not beyond November 1, 2006 on account of force majeure as provided in Paragraph X.B of the

Consent Decree. This right authorizes replacement points of diversion (SE¼ SE¼, SECTION 24, T 36 S, R 5 W, W.M.; POD 1 - 900 FEET NORTH AND 300 FEET WEST; POD 2 - 925 FEET NORTH AND 100 FEET WEST, BOTH FROM SE¼ CORNER, SECTION 24) downstream from Savage Rapids Dam to be used to divert water under this right after the diversion at Savage Rapids Dam is discontinued or November 1, 2005 (or November 1, 2006 if extended on account of force majeure), whichever is sooner.

The Grants Pass Irrigation District (District) shall continue to implement on an ongoing basis the conservation measures and plan described in Chapter 7 and 11, Grants Pass Irrigation District Water Management Study, March, 1994. The interim goal for the use of water according to the conservation plan limits the use of water under this certificate, together with Certificate 79556 (Permit 8853), to a seasonal average rate of diversion of 130 CFS by November, 2005.

At the replacement points of diversion, the District shall install, operate and maintain a continuous measurement and reporting device for rate and volume of water use, and shall report monthly volumes of water use to the Department on an annual basis. This information shall be available to the District to report general water use information, including the place and nature of use of water under the certificate.

The District 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, which shall be granted upon reasonable notice.

The appropriation of water as authorized under this right is subject to the instream water right of 935 cubic feet per second at the mouth of the Rogue River.

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 this right.

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 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 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. The use of water under this Certificate shall be subject to any regulation by the watermaster necessary to eliminate waste, compliance with any efficiency standards or conservation requirements that may be imposed by statute or administrative rule, or any other requirements of statute or rule.

This certificate is issued to correctly describe existing Savage Rapids Dam diversions and replacement diversions contained in the certificate recorded at page 79548, State Record of Water Right Certificates. This certificate supersedes Certificate 79548..

WITNESS the signature of the Water Resources

Director, affixed August 15th, 2002.



for Paul R. Cleary, Director



Recorded in State Record of Water Right Certificates numbered 79557.