

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUPERIOR LUMBER COMPANY
P.O. BOX 250
GLENDALE, OREGON 97442

confirms the right to use the waters of WINDY CREEK, a tributary of COW CREEK, for MILL POND.

This right was perfected under Permit 18679. The date of priority is JULY 31, 1947. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.9 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION FROM WINDY CREEK DESCRIBED BELOW), or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

ORIGINAL POINT OF DIVERSION WINDY CREEK - SW 1/4 NE 1/4, SECTION 33, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; AND

WINDY CREEK PUMP DIVERSION - SE 1/4 SW 1/4, SECTION 33, TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.; 258 FEET NORTH AND 857 FEET WEST FROM THE N 1/4 CORNER OF SECTION 4, TOWNSHIP 33 SOUTH, RANGE 6 WEST, W.M.

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:

SW 1/4 NE 1/4
SECTION 33
TOWNSHIP 32 SOUTH, RANGE 6 WEST, W.M.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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.

The use of water under this right from the **Windy Creek Pump Diversion** is subject to maintenance of a fish screen or fish by-pass device approved by the Oregon Department of Fish and Wildlife.

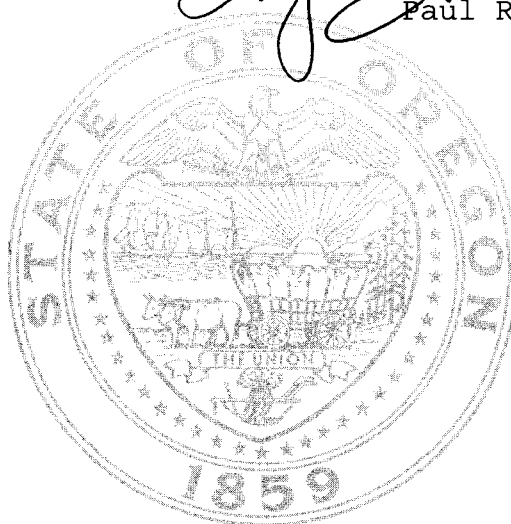
This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JUNE 9, 1999, and supersedes Certificate 17386, State Record of Water Right Certificates.

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 September 25, 2002.


Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79633.