

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM R. SPINK AND
SHIRLEY A. SPINK, TRUSTEES
SPINK FAMILY TRUST
610 STANTON DR.
ST. HELENA, CA 94574

DOUG BYLE
10841 25TH AVE SW
SEATTLE, WA 98146

confirms the right to use the waters of FIVE SPRINGS AND PARKER CREEK TRIBUTARIES TO THE UMPQUA RIVER AND THE UMPQUA RIVER, a tributary of PACIFIC OCEAN, for IRRIGATION OF 76.3 ACRES AND LIVESTOCK WATERING.

This right was perfected under Permit 51413. The date of priority is NOVEMBER 14, 1990 FOR 0.525 CUBIC FOOT PER SECOND (CFS) AND OCTOBER 11, 1991 FOR 0.459 CFS. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.984 CFS BEING 0.954 CFS FROM UMPQUA RIVER FOR IRRIGATION, 0.005 CFS FROM EACH OF SPRINGS 1 THROUGH 5 FOR LIVESTOCK AND 0.005 CFS FROM PARKER CREEK FOR MAINTENANCE OF A RESERVOIR CONSTRUCTED UNDER PERMIT R-11443 FOR LIVESTOCK, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

PARKER CREEK - NE 1/4 NW 1/4, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; 970 FEET SOUTH AND 1920 FEET EAST FROM THE NW CORNER OF SECTION 30;

SPRING NO. 1 - LOT 6 (SW 1/4 SE 1/4), SECTION 24, TOWNSHIP 22 SOUTH, RANGE 8 WEST, W.M.; 600 FEET NORTH AND 2070 FEET WEST FROM THE SE CORNER OF SECTION 24;

SPRING NO. 2 - LOT 6 (SW 1/4 SE 1/4), SECTION 24, TOWNSHIP 22 SOUTH, RANGE 8 WEST, W.M.; 520 FEET NORTH AND 1640 FEET WEST FROM THE SE CORNER, SECTION 24;

SPRING NO. 3 - SE 1/4 NW 1/4, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; 2090 FEET SOUTH AND 1280 FEET EAST FROM THE N 1/4 CORNER, SECTION 30;

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.

SPRING NO. 4 - NE 1/4 SW 1/4, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; 2830 FEET NORTH AND 1830 FEET EAST FROM THE NW CORNER OF SECTION 30;

SPRING NO. 5 - LOT 2 (NW 1/4 NE 1/4), SECTION 30, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; 840 FEET SOUTH AND 3280 FEET EAST FROM THE NW CORNER OF SECTION 30.

UMPQUA RIVER - NW 1/4 SW 1/4, SECTION 19, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; 1390 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 19;

UMPQUA RIVER - (LOT 7) SW 1/4 SE 1/4, SECTION 19, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; 930 FEET NORTH AND 2720 FEET EAST FROM THE SW CORNER OF SECTION 19; AND

UMPQUA RIVER - SE 1/4 NE 1/4, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.; 1330 FEET SOUTH AND 4520 FEET EAST FROM THE SW CORNER OF SECTION 30.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish and Wildlife specifications.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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:

LOT 5 (SW 1/4 SW 1/4)	12.8 ACRES
LOT 6 (SE 1/4 SW 1/4)	15.0 ACRES
LOT 7 (SW 1/4 SE 1/4)	5.0 ACRES

SECTION 19

LOT 2 (NW 1/4 NE 1/4)	17.5 ACRES
LOT 3 (SW 1/4 NE 1/4)	6.8 ACRES
NE 1/4 NW 1/4	1.9 ACRES
SE 1/4 NW 1/4	1.2 ACRES

SECTION 30

TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.

LOT 5 (NE 1/4 SE 1/4) 1.7 ACRES
 LOT 6 (NW 1/4 SE 1/4) 1.2 ACRES
 LOT 6 (SW 1/4 SE 1/4) 2.1 ACRES
 LOT 5 (SE 1/4 SE 1/4) 11.1 ACRES

SECTION 24

TOWNSHIP 22 SOUTH, RANGE 8 WEST, W.M.

SPRING NO. 1 - LOT 6 (SW 1/4 SE 1/4) LIVESTOCK
 SPRING NO. 2 - LOT 6 (SW 1/4 SE 1/4) LIVESTOCK

SECTION 24

TOWNSHIP 22 SOUTH, RANGE 8 WEST, W.M.

SPRING NO. 3 - SE 1/4 NW 1/4 LIVESTOCK
 SPRING NO. 4 - NW 1/4 SW 1/4 LIVESTOCK
 SPRING NO. 5 - NE 1/4 NE 1/4 LIVESTOCK
 SPRING NO. 5 - LOT 2 (NW 1/4 NE 1/4) LIVESTOCK
 SPRING NO. 5 - LOT 3 (SW 1/4 NE 1/4) LIVESTOCK
 PARKER CREEK -NE 1/4 NW 1/4 LIVESTOCK

SECTION 30

TOWNSHIP 22 SOUTH, RANGE 7 WEST, W.M.

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

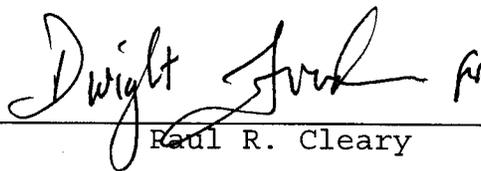
The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, 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 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.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE SOURCES AND LOCATION OF THE SOURCES OF WATER AND SUPERSEDES CERTIFICATE 77021.

WITNESS the signature of the Water Resources Director, affixed February 28, 2003.


 Raul R. Cleary

Recorded in State Record of Water Right Certificates Number 79904.

70922COR.SB