

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF EUGENE
EUGENE WATER & ELECTRIC BOARD
500 EAST 4TH AVENUE
P.O. BOX 10148
EUGENE, OREGON 97440-2411

confirms the right to store the waters of SMITH RIVER AND MCKENZIE RIVER tributaries of WILLAMETTE RIVER, in SMITH RIVER RESERVOIR, appropriated under Permit 25515, for DOWNSTREAM POWER REGULATION.

The right to store these waters was perfected under Reservoir Permit R-2139. The date of priority is February 25, 1958. The amount of water entitled to be stored each year under this right is not more than 14,000.0 acre-feet.

The reservoir is located as follows:

W ½ SW 1/4
Section 24
W ½ NW 1/4
SW 1/4
Section 25
NW 1/4
N ½ SW 1/4
Section 36

Township 14 South, Range 6 East, W.M.

This right is granted subject to the condition that the water right holder will comply in all respects with the resolution of the State Water Resources Board of Oregon dated July 17, 1958, which resolution embodies a program for development of the water resources of the McKenzie River from Clear Lake downstream to River Mile 76.9 (below the mouth of Smith River) including Smith River and Bunch Grass Creek.

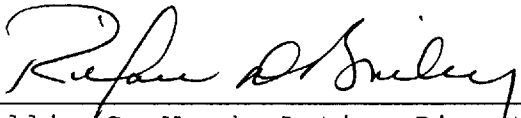
This right is granted subject to all terms and conditions of that certain agreement made and entered into the 1ST day of August 1958, by and between the City of Eugene, acting by and through the Eugene Water And Electric Board, party of the first part; and the State of Oregon,

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.

acting by and through the Oregon State Game Commission and the Fish Commission of Oregon, party of the second part, which agreement is recorded on Page 2 to 5, Volume 4, Miscellaneous Records of the State Engineer and be reference made a part hereof.

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

Issued June 21, 2004.



Phillip C. Ward, Acting Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80727.

R-32145.SB