

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to store the waters of MCKENZIE RIVER AND SMITH RIVER, tributaries of WILLAMETTE RIVER, in TRAIL BRIDGE REREGULATING RESERVOIR, appropriated under Permit 26809, for DOWNSTREAM FLOW REREGULATION AND POWER.

The right to store these waters was perfected under Reservoir Permit R-2364. The date of priority is APRIL 18, 1960. The amount of water entitled to be stored each year under this right is not more than 563.0 acre-feet.

The reservoir is located as follows:

E ½ SE 1/4  
Section 36  
Township 14 South, Range 6 East, W.M.

SW 1/4 NW 1/4  
NW 1/4 SW 1/4  
Section 31  
Township 14 South, Range 7 East, W.M.

Portions of Sections 1, 2, 11 and 12  
(As projected within an unsurveyed area)  
Township 15 South, Range 6 East, W.M.

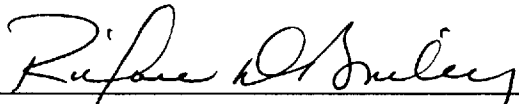
This right is granted subject to the condition that the water right holder will comply in all respects with the resolution of the State Water Resources Board of Oregon dated July 17, 1958, which resolution embodies a program for development of the water resources of the McKenzie River from Clear Lake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

This 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.

This right is granted subject to all terms and conditions of that certain agreement made and entered into the 1<sup>ST</sup> 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, 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 80729.

R-33883.SB