

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of the LITTLE BUTTE CREEK, a tributary of the ROGUE RIVER, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 14, at page 498. The date of priority is 1885 and 1908. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.94 cfs, being 0.585 cfs at a 1885 priority and 0.355 cfs at a 1908 priority, during April 1 to October 1.

The description of the stream reach in which flows are to be maintained is as follows:

From the location of the diversion authorized previously under Certificates 17163, 17164, 17170 and 17165, located at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
36 S	1 E	WM	5	SE NW	1950 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER, SECTION 5 TO SE ¼ NW ¼, SECTION 5

To the point of diversion authorized under Special Order Volume 56, page 353; located at:

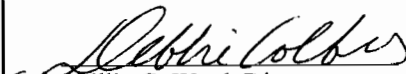
Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
36 S	1 E	WM	5	NW NW	250 FEET SOUTH AND 660 FEET EAST FROM THE NW CORNER, SECTION 5.

The instream right established by this ALLOCATION OF CONSERVED WATER shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 67, Page 258, approving conserved water application C-19, and together with the remaining right to be issued by the Department NOT modified by Transfer 8830, and the amount of water used beneficially under Transfers 8829 and 8830, supercedes Certificates 17163, 17164, 17170 & 17165, State Record of Water Right Certificates.

The right is subject to all other terms and conditions of Certificate 17163, 17164, 17170, 17165, and any related decree.

WITNESS the signature of the Water Resources Director, affixed October 13, 2005.


Phillip C. Ward, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.