

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of WILLIAMS CREEK, tributary to APPLGATE 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 4, at Page 1. The date of priority is 1869. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.217 CUBIC FEET PER SECOND, if available at the original point of diversion, being:

| Twp | Rng | Mer | Sec | Q-Q | Survey Coordinates |
|------|-----|-----|-----|-------|--|
| 38 S | 5 W | WM | 12 | NW NE | 1600 FEET NORTH AND 2260 FEET WEST FROM THE E ¼ CORNER OF SECTION 12 |

from April 1 through October 31.

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 Special Order Volume 11, Page 413A, located approximately at:

| Twp | Rng | Mer | Sec | Q-Q | Survey Coordinates |
|------|-----|-----|-----|-------|---|
| 38 S | 5 W | WM | 13 | NW NW | 135 FEET SOUTH AND 135 FEET EAST FROM THE SW CORNER OF SECTION 12 |

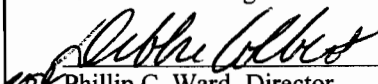
To the mouth of Williams Creek, at River Mile 0.0.

Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original point of diversion. The right is subject to all other terms and conditions of Certificate 16309, and any related decree.

The instream right established by this transfer 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 a change in use and place of use approved by an order of the Water Resources Director recorded in Special Order Volume 70, Page 238, approving Transfer 9726, and along with Certificate 82890 supercedes Certificate 16309, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed DEC 13 2006


Phillip C. Ward, Director

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.