

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 APPLGATE RIVER, tributary to 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 16, at Page 523 . The date of priority is OCTOBER, 1898. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.977 CUBIC FEET PER SECOND measured at the point of diversion, 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 Certificates 32813, 32818, and 32820, all located within:

Twp	Rng	Mer	Sec	Q-Q
38 S	4 W	WM	17	SW SE

To the mouth of the Applegate River, at River Mile 0.0.

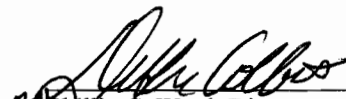
Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original point of diversion. The right is subject to all other terms and conditions of Certificates 32813, 32818, and 32820, and any related decree.

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 70, Page 738, approving Conserved Water Application CW-36, and together with remaining right Certificates 82891, 82892, and 82893, and the amount of water used beneficially under Transfer T-9726 and the amount of water used beneficially for new lands under CW-36, supercedes Certificates 32813, 32818, and 32820, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed _____

DEC 18 2006


Philip 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.