

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM KANE  
4685 BROWNSBORO HIGHWAY  
EAGLE POINT, OR 97524

confirms the right to use the waters of LITTLE BUTTE CREEK, a tributary of the ROGUE RIVER for IRRIGATION OF 10.2 ACRES IN TRACT 2 AND 3.2 ACRES IN TRACT 3

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 dates of priority are 1888 for Tract 2 and 1908 for Tract 3.

This right is limited to an amount of water actually beneficially used for said purposes, and shall not exceed 0.25 cubic foot per second FOR TRACT 2 and 0.08 cubic feet per second FOR TRACT 3; measured at the point of diversion, from April 1<sup>st</sup> to October 1<sup>st</sup> of each year, or its equivalent, if available at the original point of diversion, TUCKER DITCH.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
36 S	1 E	WM	5	NW NW	960 FEET SOUTH AND 1370 FEET WEST FROM N1/4 CORNER, SECTION 5
36 S	1 E	WM	4	NW SE	880 FEET SOUTH AND 50 FEET EAST FROM THE CENTER OF SECTION 4

A description of the place of use to which this right is appurtenant is as follows:

Tract	Twp	Rng	Mer	Sec	Q-Q	Acres
2	36 S	1 E	WM	5	NE NW	10.20
3	36 S	1 E	WM	5	NW NW	3.20

The quantity of water diverted at the new point of diversion, together with the quantity diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion

The water user shall maintain the meter or measuring device for measuring and recording the quantity of water diverted.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

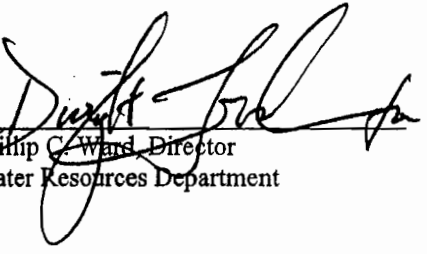
**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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.

This certificate is issued to confirm a CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 20, 2002, at Special Order Volume 56, Page 324, approving Transfer Application 8057, and together with an order of the Water Resources Director approving Transfer 8830, supersedes Certificate 17165, State Record of Water Right Certificates.

The right to the use of the water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 12 2007

  
Philip C. Ward, Director  
Water Resources Department