

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

(Rogue River Valley)

THIS CERTIFICATE ISSUED TO

U. S. BUREAU OF RECLAMATION
1150 NORTH CURTIS ROAD
BOISE, IDAHO 83706

confirms the right to use the waters of

EMIGRANT CREEK and EMIGRANT RESERVOIR, constructed under permit R-2209; tributaries of BEAR CREEK, at a rate limited to 250 CUBIC FEET PER SECOND, the point of diversion is located at the outlet of Emigrant Reservoir, SESE of Section 20, Township 39 South, Range 2 East, W.M.

S FK LITTLE BUTTE CREEK, a tributary of LITTLE BUTTE CREEK, at a rate limited to 60 CFS, the point of diversion is located 1240 FEET NORTH AND 1100 FEET WEST OF SE 1/4 CORNER of SECTION 16, being within the SESE of Section 16, Township 37 South, Range 4 East, W.M.

CONDE CREEK, a tributary of S FK LITTLE BUTTE CREEK, at a rate limited to 25 CFS, the point of diversion is located 1320 FEET NORTH AND 600 FEET EAST FROM SW CORNER of SECTION 9, being within the SWSW, Section 9, Township 38 South, Range 3 East, W.M.

DEAD INDIAN CREEK, a tributary of S FK LITTLE BUTTE CREEK, at a rate limited to 60 CFS, the point of diversion is located 1310 FEET NORTH AND 1100 FEET WEST FROM SOUTH 1/4 CORNER of SECTION 15, being within SESW, Section 15, Township 38 South, Range 3 East, W.M.

Appeal Rights

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 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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

DALEY CREEK, a tributary of S FK LITTLE BUTTE CREEK, at a rate limited to 25 CFS, the point of diversion is located 750 FEET NORTH AND 480 FEET EAST FEET FROM S 1/4 CORNER of SECTION 34, being within SWSE of Section 34, Township 37 South, Range 4 East, W.M.

BEAVER DAM CREEK, a tributary of S FK LITTLE BUTTE CREEK, at a rate limited to 40 CFS, the point of diversion is located 2000 FEET NORTH AND 1800 FEET EAST OF SW CORNER of SECTION 4, being within the NESW of Section 4, Township 38 South, Range 4 East, W.M.

POLE BRIDGE CREEK, a tributary of S FK LITTLE BUTTE CREEK, at a rate limited to 9.6 CFS, the point of diversion is located 1380 FEET SOUTH AND 2000 FEET EAST FROM NW CORNER of SECTION 28, being within the SENW of Section 28, Township 37 South, Range 4 East, W.M.

DEADWOOD CREEK, a tributary of S FK LITTLE BUTTE CREEK, at a rate limited to 15 CFS, the point of diversion is located within the NESE of Section 6, Township 38 South, Range 4 East, W.M.

KEENE CREEK and KEENE CREEK RESERVOIR, tributaries of JENNY CREEK, at a rate limited to 136 CFS, the points of diversion are located - at Hyatt Reservoir - 15 FEET NORTH AND 1200 FEET WEST OF SE CORNER OF SECTION 16, being within the SESE of Section 16, Township 39 South, Range 3 East, W.M.; - rediversion at Little Hyatt Pool Diversion - 800 FEET NORTH AND 750 FEET WEST OF SE CORNER OF SECTION 20, being within the SESE of Section 20, Township 39 South, Range 3 East, W.M.; - at Keene Cr. Diversion Dam (beginning of Green Springs Tunnel) - 1200 FEET NORTH AND 1200 FEET EAST OF SW CORNER OF SECTION 33, being within the SWSW of Section 33, Township 39 South, Range 3 East, W.M.

GRIZZLY CREEK AND HOWARD PRAIRIE RESERVOIR, constructed under permit R-2210, tributaries of JENNY CREEK, at a rate limited to 60 CFS, the point of diversion is located within E 1/2 of SW 1/4 of Section 32, Township 38 South, Range 4 East, W.M.

SODA CREEK, a tributary of GRIZZLY CREEK, at a rate limited to 11 CFS, the point of diversion is located 2200 FEET SOUTH AND 60 FEET EAST OF NW CORNER of SECTION 8 being within SWNW of Section 8, Township 39 South, Range 4 East, W.M., and

LITTLE BEAVER CREEK, a tributary of JENNY CREEK, at a rate limited to 24 CFS, the point of diversion is located 600 FEET NORTH AND 1930 FEET EAST FROM SW CORNER of SECTION 19, being within SESW of Section 19, Township 39 South, Range 4 East, W.M.

for SUPPLEMENTAL IRRIGATION of 3543.1 ACRES within the ROGUE RIVER VALLEY IRRIGATION DISTRICT.

This right was perfected under Permit 25915. The date of priority is JUNE 8, 1953, for SODA CREEK AND LITTLE BEAVER CREEK; and SEPTEMBER 6, 1915, for all other streams. (These streams were withdrawn by applications numbered 4496 and 4498. Grizzly Creek as listed herein is known as Beaver Creek in application 4498.) This right is limited to not more than the rate listed for each stream above; or its equivalent in case of rotation, measured at the point of diversion from the source.

This right is further limited to 136 CFS from Keene Creek, Little Beaver Creek, Soda Creek and Grizzly Creek (tributaries of Jenny Creek) tributaries of Klamath River; and from HOWARD PRAIRIE AND HYATT PRAIRIE RESERVOIRS through the Green Springs Power Conduit into Emigrant Creek and thence into and through Emigrant Reservoir.

This right is further limited to 60 CFS from the South Fork of Little Butte Creek and its tributaries (Polebridge Creek, Daley Creek, Beaver Dam Creek, Deadwood Creek, Conde Creek and Dead Indian Creek) into and through HOWARD PRAIRIE RESERVOIR, and thence through the Green Springs Power Conduit into and through Emigrant Reservoir, said 60 cfs being a part of the total diversion of 136 cfs from the Jenny Creek and South Fork Little Butte Creek watersheds to Emigrant Creek watershed.

No water may be diverted from Little Butte Creek watershed for direct appropriation as a part of the 136 CFS herein granted for diversion from Jenny Creek watershed to Emigrant Creek watershed when the total diversion of 136 cfs can be taken from the natural flow of the tributaries of Jenny Creek.

Water is released from storage into Emigrant Creek and rediverted from Bear Creek at: 870 FEET SOUTH AND 1460 FEET EAST FROM NW CORNER OF SECTION 30, being within the NE1/4 NW1/4 of SECTION 30, TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent), and 4.5 acre-feet for each acre irrigated during the irrigation season of each year, PROVIDED that the combined uses of water under permits 25915 and 25916, and all certificates issued in respect thereto, shall not exceed the maximum rate listed for each source above, at any one point in time,

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Supplemental Irrigation

Acres

36	S	2	W	27	SW	SW	1.4
36	S	2	W	28	NW	NE	3.1
36	S	2	W	28	SW	NE	14.6
36	S	2	W	28	NE	NW	9.9
36	S	2	W	28	NW	NW	2.1
36	S	2	W	28	SW	NW	1.4
36	S	2	W	28	SE	NW	25.9
36	S	2	W	28	NW	SW	5.4
36	S	2	W	28	SW	SW	21.8
36	S	2	W	28	SE	SW	17.3
36	S	2	W	28	NE	SE	19.5
36	S	2	W	28	NW	SE	8.3
36	S	2	W	28	SW	SE	6.6
36	S	2	W	28	SE	SE	33.0
36	S	2	W	31	NE	SE	12.2
36	S	2	W	31	SE	SE	1.8
36	S	2	W	32	NE	NE	1.5
36	S	2	W	32	SW	NE	8.9
36	S	2	W	32	SE	NE	23.6
36	S	2	W	32	SE	NW	16.5
36	S	2	W	32	NE	SW	35.4
36	S	2	W	32	NW	SW	38.4
36	S	2	W	32	SW	SW	27.1
36	S	2	W	32	SE	SW	38.7
36	S	2	W	32	NE	SE	40.0
36	S	2	W	32	NW	SE	39.5
36	S	2	W	32	SW	SE	32.8
36	S	2	W	32	SE	SE	31.0
36	S	2	W	33	NE	NE	27.9
36	S	2	W	33	NW	NE	19.6
36	S	2	W	33	SW	NE	31.2
36	S	2	W	33	SE	NE	37.0
36	S	2	W	33	NE	NW	24.7
36	S	2	W	33	NW	NW	34.1
36	S	2	W	33	SW	NW	37.7
36	S	2	W	33	SE	NW	39.7
36	S	2	W	33	NE	SW	37.7
36	S	2	W	33	NW	SW	35.4

36	S	2	W	33	SW	SW	32.3
36	S	2	W	33	SE	SW	32.4
36	S	2	W	33	NE	SE	32.0
36	S	2	W	33	NW	SE	30.4
36	S	2	W	33	SW	SE	33.3
36	S	2	W	33	SE	SE	22.3
36	S	2	W	34	NW	NW	16.5
36	S	2	W	34	SW	NW	28.9
36	S	2	W	34	SE	NW	0.1
36	S	2	W	34	NE	SW	21.1
36	S	2	W	34	NW	SW	39.6
36	S	2	W	34	SW	SW	21.2
36	S	2	W	34	SE	SW	25.5
36	S	2	W	34	SW	SE	0.2
37	S	2	W	2	SW	NE	3.5
37	S	2	W	2	NE	SW	5.1
37	S	2	W	2	NW	SW	1.5
37	S	2	W	2	NW	SE	8.2
37	S	2	W	3	NW	NE	9.3
37	S	2	W	3	SW	NE	0.9
37	S	2	W	3	NE	NW	2.6
37	S	2	W	3	NW	NW	9.0
37	S	2	W	3	SW	NW	36.4
37	S	2	W	3	SE	NW	14.5
37	S	2	W	3	NE	SW	16.0
37	S	2	W	3	NW	SW	37.0
37	S	2	W	3	SW	SW	16.8
37	S	2	W	3	SE	SW	37.1
37	S	2	W	3	NW	SE	16.7
37	S	2	W	3	SW	SE	12.0
37	S	2	W	4	NE	NE	32.9
37	S	2	W	4	NW	NE	39.5
37	S	2	W	4	SW	NE	39.9
37	S	2	W	4	SE	NE	32.0
37	S	2	W	4	NE	NW	39.0
37	S	2	W	4	NW	NW	34.6
37	S	2	W	4	SW	NW	39.1
37	S	2	W	4	SE	NW	39.8
37	S	2	W	4	NE	SW	40.0
37	S	2	W	4	NW	SW	40.0

37	S	2	W	4	SW	SW	38.0
37	S	2	W	4	SE	SW	40.0
37	S	2	W	4	NE	SE	38.4
37	S	2	W	4	NW	SE	40.0
37	S	2	W	4	SW	SE	40.0
37	S	2	W	4	SE	SE	38.9
37	S	2	W	5	NE	NE	40.0
37	S	2	W	5	NW	NE	40.0
37	S	2	W	5	SW	NE	40.0
37	S	2	W	5	SE	NE	40.0
37	S	2	W	5	NE	NW	23.0
37	S	2	W	5	NW	NW	11.0
37	S	2	W	5	SW	NW	5.8
37	S	2	W	5	SE	NW	35.7
37	S	2	W	5	NE	SW	2.0
37	S	2	W	5	NE	SE	39.5
37	S	2	W	5	NW	SE	22.5
37	S	2	W	5	SE	SE	14.1
37	S	2	W	9	NE	NE	33.8
37	S	2	W	9	NW	NE	34.7
37	S	2	W	9	SW	NE	38.3
37	S	2	W	9	SE	NE	34.1
37	S	2	W	9	NE	NW	38.0
37	S	2	W	9	NW	NW	16.3
37	S	2	W	9	SW	NW	5.8
37	S	2	W	9	SE	NW	38.1
37	S	2	W	9	NE	SW	1.5
37	S	2	W	9	NE	SE	28.4
37	S	2	W	9	NW	SE	13.7
37	S	2	W	9	SW	SE	2.2
37	S	2	W	9	SE	SE	36.0
37	S	2	W	10	NW	NE	8.2
37	S	2	W	10	SW	NE	2.1
37	S	2	W	10	NE	NW	6.5
37	S	2	W	10	NW	NW	31.5
37	S	2	W	10	SW	NW	17.0
37	S	2	W	10	SE	NW	0.5
37	S	2	W	10	NE	SW	2.9
37	S	2	W	10	NW	SW	16.6
37	S	2	W	10	SW	SW	33.4

37	S	2	W	10	SE SW	25.2
37	S	2	W	10	NE SE	2.9
37	S	2	W	10	NW SE	8.9
37	S	2	W	10	SW SE	29.6
37	S	2	W	10	SE SE	29.1
37	S	2	W	11	SW SW	24.2
37	S	2	W	11	SE SE	1.5
37	S	2	W	12	SW SW	5.7
37	S	2	W	13	NE NW	7.7
37	S	2	W	13	NW NW	9.6
37	S	2	W	13	SW NW	7.0
37	S	2	W	13	SE NW	11.8
37	S	2	W	13	NE SW	2.1
37	S	2	W	13	NW SW	5.2
37	S	2	W	13	SE SW	0.1
37	S	2	W	14	NE NE	0.6
37	S	2	W	14	SE NE	0.2
37	S	2	W	14	NE NW	2.3
37	S	2	W	14	NW NW	40.0
37	S	2	W	14	SW NW	40.0
37	S	2	W	14	SE NW	22.0
37	S	2	W	14	NE SW	34.7
37	S	2	W	14	NW SW	40.0
37	S	2	W	14	SW SW	23.6
37	S	2	W	14	SE SW	25.8
37	S	2	W	14	NW SE	9.7
37	S	2	W	14	SW SE	1.6
37	S	2	W	15	NE NE	39.6
37	S	2	W	15	NW NE	39.7
37	S	2	W	15	SW NE	39.7
37	S	2	W	15	SE NE	39.6
37	S	2	W	15	NE NW	39.0
37	S	2	W	15	NW NW	37.5
37	S	2	W	15	SW NW	7.9
37	S	2	W	15	SE NW	31.7
37	S	2	W	15	NE SE	39.5
37	S	2	W	15	NW SE	17.4
37	S	2	W	15	SE SE	10.2
37	S	2	W	16	NE NE	15.2
37	S	2	W	23	NE NW	2.6

37 S 2 W 23 NW NW 1.7
37 S 2 W 24 NW NE 0.3

3543.1

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights.

This certificate, together with certificates numbered 83727 and 83728 for supplemental irrigation within the Medford and Talent Irrigation Districts, confirms all water rights perfected under permit 25915, in the name of the U.S. Bureau of Reclamation.

This certificate also confirms orders of the Water Resources Director approving permit amendments as follows:

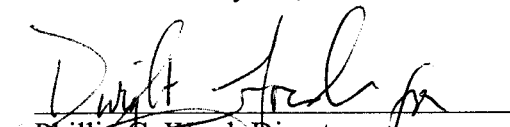
T-7461 to amend the place of use for 32.4 acres of irrigation as recorded in Special Order Volume 50 Page 326.

T-8242 to amend the place of use for 10 acres of irrigation as recorded in Special Order Volume 53 Page 1148.

T-8086 to amend the place of use for 64.8 acres of irrigation as recorded in Special Order Volume 53 Page 1150.

WITNESS signature of the Water Resources Director,

Affixed January 10, 2008


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83729.