

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of RICKREALL CREEK, tributary to WILLAMETTE 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 Polk County. The date of priority is 1863. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.10 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion, from January 1 to December 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 Certificate 38639, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
7 S	5 W	WM	32	NE NE	68	1000 FEET NORTH AND 2800 FEET EAST FROM THE SW CORNER OF DLC 68

To the mouth of Rickreall Creek (confluence with the Willamette River), located approximately at Section 25, T 7 S, R 4 W, W.M.

Protection of the instream use in Rickreall Creek, below the original point of diversion, shall be based on measurements above the area of influence from the Willamette River.

Water rights upstream of the original point of diversion shall not be subject to regulation for flows in excess of the quantities to which this instream water right is entitled at the original point of diversion.

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

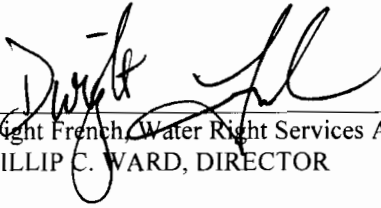
The instream right established by this transfer shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing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

The right is subject to all other terms and conditions of Certificate 38639, and any related decree.

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 89, Page 5A1, approving Transfer T-11287, and supersedes Certificate 38639, State Record of Water Right Certificates.

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 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.

WITNESS the signature of the Water Resources Director, affixed APRIL 30 2013.

A handwritten signature in black ink, appearing to read "Dwight French", written over a horizontal line.

Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR