

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. DEPARTMENT OF THE INTERIOR;
BUREAU OF LAND MANAGEMENT
3040 BIDDLE RD
MEDFORD, OR 97504

confirms the right to use the waters of LOST CREEK RESERVOIR, A TRIBUTARY OF ROGUE RIVER, CONSTRUCTED UNDER PERMIT R-8142, for INDUSTRIAL USE (BEING DUST CONTROL AND ROAD CONSTRUCTION).

This right was perfected under Permit S-53321. The date of priority is JUNE 11, 1987. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 45,000 GALLONS PER DAY FROM STORED WATER NOT TO EXCEED 17.0 ACRE-FEET TOTAL PER YEAR, OR AS FURTHER LIMITED BY THE WATER SERVICE CONTRACT, SAID TOTAL TO BE DIVIDED BETWEEN PERMITS S-53321 AND S-53322 or its equivalent in case of rotation, measured at the point of diversion.

The period of use is YEAR ROUND, OR AS FURTHER LIMITED BY THE TERMS AND CONDITIONS OF THE WATER SERVICE CONTRACT

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
33 S	1 E	WM	26	NE NW	300 FEET SOUTH & 2000 FEET EAST FROM NW CORNER, SECTION 26

A description of the place of use is as follows:

SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 34
ALL
SECTION 35
TOWNSHIP 32 SOUTH, RANGE 1 EAST, W.M.

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.

ALL
SECTION 2
ALL
SECTION 3
NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 9
ALL
SECTION 10
ALL
SECTION 11
NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 14
ALL
SECTION 15
ALL
SECTION 21
ALL
SECTION 22
NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 23
NW 1/4 NW 1/4
SW 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 26

ALL
SECTION 27
ALL
SECTION 28
TOWNSHIP 33 SOUTH, RANGE 1 EAST, W.M.

*For maps of the place of use, see application maps.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of the Memorandum of Understanding between the U.S. Army Corps of Engineers and the water user, dated January 15, 1998, a copy of which is on file in the records of the Water Resources Department.

The water user shall maintain and operate fish screening as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion including water trucks used for road construction.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

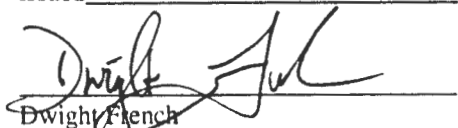
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

JAN 23 2015

Issued _____



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department