

STATE OF OREGON  
COUNTY OF TILLAMOOK  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE  
506 SW MILL STREET  
PO BOX 59  
PORTLAND, OREGON 97207

confirms the right to use the waters of SOUTH FORK WILSON RIVER, a tributary of WILSON RIVER, for FISH REARING.

This right was perfected under Permit 50858. The date of priority is NOVEMBER 13, 1989. This right is limited to not more than 3.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NW 1/4 NW 1/4, NE 1/4 NW 1/4, SECTION 8, T 1 N, R 6 W, W.M.;  
732 FEET SOUTH AND 62 FEET EAST; 880 FEET SOUTH AND 1700 FEET EAST, BOTH  
FROM THE NW CORNER OF SECTION 8.

The project diversion weir will be operated to continuously maintain at least 7.0 cubic feet per second of flow in the natural channel of South Fork Wilson River between diversion weir and the point of project return flows to the South Fork Wilson River at the mouth of Tuffy Creek. The diversion weir shall be designed to release 7.0 CFS downstream ahead of any diversion into the rearing pond.

Upstream passage for anadromous and resident fish will be provided at all times. The South Fork Wilson River diversion weir includes a fishway constructed to Oregon Department of Fish and Wildlife (ODFW) criteria for adult salmon, steelhead, and cutthroat trout. The fishway will be operated to meet those criteria whenever diversion weir flashboards are in place during the period March through August. During September through February, diversion weir flashboards will be removed to provide unobstructed upstream fish passage in the South Fork Wilson River.

Downstream migrating salmon and steelhead will be excluded from project intakes by fish screens designed to meet ODFW criteria for protection of salmon, steelhead, and cutthroat trout. The screens will be emplaced to meet those criteria and will be maintained free of debris whenever water is diverted out of the South Fork Wilson River at either the diversion weir or the auxiliary pumping station.

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:

SEE NEXT PAGE

NE 1/4 NE 1/4  
SECTION 7  
TOWNSHIP 1 NORTH, RANGE 6 WEST, W.M.

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.

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, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed  
SEPTEMBER 30, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 66691.

BASIN 1

VOLUME 2A WILSON RIVER MISC.

DISTRICT 1

69639.RK