

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BUREAU OF RECLAMATION  
U.S.A., PACIFIC NW REGION  
1150 N CURTIS ROAD  
BOISE, IDAHO 83706-1234

confirms the right to use the waters of COLUMBIA RIVER, a tributary of PACIFIC OCEAN, for INCREASING THE FLOWS IN THE UMATILLA RIVER TO ENHANCE MIGRATION OF ANADROMOUS FISH.

This right was perfected under Permit 50748 AND EXCHANGE FILE T-6085E. The date of priority is JUNE 3, 1988. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 150.0 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

This certificate is for Phase I which will benefit fish passage in the lower reach of the Umatilla River, from Threemile Falls Dam to the mouth. This involves an exchange of Columbia River water with direct flow Umatilla River water rights within the West Extension Irrigation District and Terminal Ditch Company. Columbia River water will be used to irrigate crops and Umatilla River water will remain in the stream.

The point of diversion is located as follows:

MCNARY DAM - NW 1/4 SE 1/4, SECTION 10, T 5 N, R 28 E, W.M.; 2150 FEET NORTH AND 3500 FEET EAST FROM THE SW CORNER OF SECTION 10; Divert water at the McNary Dam diversion works, convey and release the waters in the West Extension Irrigation Canal at a point within the NW 1/4 NE 1/4, SECTION 20, T 5 N, R 28 E, W.M., for use in the West Extension Irrigation District, and to release waters to the Terminal Ditch Company for delivery at miscellaneous points, pursuant to Exchange File T-6085E.

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

The benefitted stream reach is for flows to be maintained in the Umatilla River from Threemile Falls Dam to the mouth.

This right is for the beneficial use of water without waste. 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 right is subject to instream water rights established by the Water Resources Commission with an effective date prior to this right.

The total quantity being diverted for exchange during a complete water year shall be no greater than the total amount of water being left in the Umatilla River during that complete water year under Transfer Order 6085E.

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To the extent permitted by federal law, the user shall comply with the requirements of the Oregon Conservation Plan for the Umatilla River Basin as it is developed; and, to the extent that said plan prescribes compliance schedules to achieve conservation standards, the user shall comply with said schedules.

WITNESS the signature of the Water Resources Director, affixed MAY 9, 1996.

     | Steven P. Applegate

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72311.