

STATE OF OREGON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Oregon Water Resources Department
158 12th Street NE
Salem, Oregon 97310

The specific limits for the use are listed below along with conditions of use.

Source: ELK CREEK tributary to NESTUCCA RIVER

County: TILLAMOOK

Purpose: Providing required stream flows for migration, spawning, egg incubation, fry emergence, and juvenile rearing of fall chinook salmon, winter and summer steelhead, coho salmon, and sea-run and resident cutthroat trout.

To be maintained in:

ELK CREEK FROM TUCCA CREEK (SENW, SECTION 9, TOWNSHIP 3S, RANGE 7W WM); TO THE MOUTH AT RIVER MILE 0.0 (SBNW, SECTION 27, TOWNSHIP 3S, RANGE 7W WM)

The right is established under Oregon Revised Statutes 537.341.

The date of priority is 2/13/1991.

The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1st½	34.0	34.0	34.0	34.0	24.1	11.8	5.57	3.01	3.13	7.20	34.0	34.0
2nd½	34.0	34.0	34.0	34.0	20.0	11.8	5.57	3.01	3.13	7.20	34.0	34.0

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For the purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.
5. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.

Witness the signature of the Water Resources Director,
affixed AUGUST 20, 1996.


Martha O. Pagel

Recorded in State Record of Water Right Certificate number 72538.