

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVENUE
PORTLAND, OREGON 97232-4181

confirms the right to use the waters of IMNAHA RIVER, a tributary of SNAKE RIVER, for ACCLIMATION OF SALMON SMOLTS DURING MARCH AND APRIL OF EACH YEAR AND FOR TRAPPING AND HOLDING RETURNING ADULT SPRING CHINOOK SALMON IN A CONCRETE POND DURING JUNE OF EACH YEAR.

This right was perfected under Permit 50878. The date of priority is DECEMBER 28, 1987. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 9.9 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:

POD #1 - NW 1/4 NE 1/4, SECTION 30, T 4 S, R 48 E, W.M.; 426 FEET SOUTH AND 20 FEET EAST FROM THE 1/4 CORNER OF SECTIONS 19 AND 30.

POD #2 - SW 1/4 SE 1/4, SECTION 19, T 4 S, R 48 E, W.M.; 201 FEET NORTH AND 406 FEET EAST FROM THE 1/4 CORNER OF SECTIONS 19 AND 30.

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:

SW 1/4 SE 1/4
SECTION 19
TOWNSHIP 4 SOUTH, RANGE 48 EAST, 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.

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 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 AUGUST 28, 1996.

 \s/ Steven P. Applegate

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72757.

BASIN 8
69200.DSM

VOLUME 2A IMNAHA RIVER

DISTRICT 7