

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: FOREST CREEK tributary to APPLGATE RIVER

County: JACKSON

Purpose: Providing required stream flows for cutthroat trout and summer and winter steelhead.

To be maintained in:

FOREST CREEK FROM POORMANS CREEK (NWSW, SECTION 14, TOWNSHIP 38S, RANGE 3W WM); TO THE MOUTH AT RIVER MILE 0.0 (SWSW, SECTION 28, TOWNSHIP 38S, RANGE 3W WM)

The right is established under Oregon Revised Statutes 537.341.

The date of priority is 5/22/1991.

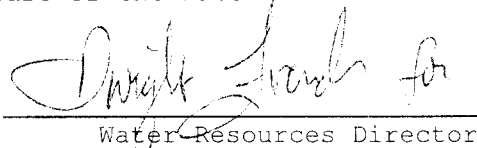
The following conditions apply to the use of water under this certificate:

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
1 st ½	*9.39	12.0	12.0	*11.3	*8.19	*5.4	*0.92	*0.12	*0.1	*0.82	*2.63	*5.66
2 nd ½	*9.39	12.0	12.0	*11.3	7.0	*5.4	*0.92	*0.12	*0.1	*0.82	*2.63	*5.66
2. The water right holder shall measure and report the instream flow along the reach of the stream or river described in the certificate as may be required by the standards for instream water right reporting of the Water Resources Commission.
3. For purposes of water distribution, this instream water right shall not have priority over human or livestock consumption.
4. Future water allocation decisions regarding human and livestock consumption, within or above this instream water right reach, shall be made in consultation with Oregon Department of Fish and Wildlife.
5. 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.
6. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.

* Note: The amount of water authorized during these months (or half-months) is less than the amount of water identified as necessary by the applicant, Oregon Department of Fish and Wildlife. Requested flows during these months (or half-months) were diminished by the Department pursuant to OAR 690-77-015(4) and are not a determination of biological need.

Witness the signature of the Water Resources Director affixed this 12th day of February, 1999.


Water Resources Director

Recorded in State Record of Water Right Certificate number 75998.
IS 71614 RWK