

STATE OF OREGON

COUNTY OF MULTNOMAH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

METRO
SMITH & BYBEE LAKES WILDLIFE AREA
600 NE GRAND AVENUE
PORTLAND, OREGON 97232

confirms the right to use the waters of COLUMBIA SLOUGH AND SMITH AND BYBEE LAKES, tributaries of WILLAMETTE RIVER, for MINIMIZING OR ELIMINATING CONDITIONS WHICH FOSTER AVIAN BOTULISM.

This right was perfected under Permit 45974. The date of priority is SEPTEMBER 8, 1981 - FOR 3692.0 ACRE-FEET (AF) AND SEPTEMBER 24, 1981 - FOR 408.0 AF. This right is limited to 4100.0 AF or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 2, (SW 1/4 NW 1/4), SECTION 31, T 2 N, R 1 E, W.M.; 800 FEET NORTH AND 100 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 31.

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 NE 1/4
SE 1/4 NW 1/4
E 1/2 SW 1/4
SE 1/4
SECTION 25

E 1/2 E 1/2
NW 1/4 NE 1/4
SECTION 36
TOWNSHIP 2 NORTH, RANGE 1 WEST, W.M.

S 1/2 SW 1/4
SW 1/4 SE 1/4
SECTION 30

NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NW 1/4
S 1/2
SECTION 31

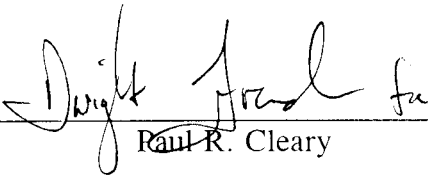
NW 1/4 NW 1/4
S 1/2 NW 1/4
SW 1/4
SECTION 32
TOWNSHIP 2 NORTH, RANGE 1 EAST, W.M.

N 1/2 NW 1/4
SECTION 5

N 1/2 NE 1/4
NE 1/4 NW 1/4
SECTION 6
TOWNSHIP 1 NORTH, RANGE 1 EAST, W.M.

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 MAY 10, 2001.



Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76914.