

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE
P.O. BOX 59
PORTLAND, OREGON 97207

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, during the period of SEPTEMBER 15 to JULY 15 of each year, for OPERATION OF BANK FISHWAYS.

This right was perfected under Permit 29084. The date of priority is AUGUST 14, 1963, and shall be subordinate and inferior to all future appropriations on the Umatilla River for municipal, domestic and irrigation purposes. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 12.6 CUBIC FOOT PER SECOND, being 6.6 cfs for the left bank fishway, and 6.0 cfs for the right bank fishway, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 28, T 5 N, R 28 E, WM; NORTH 26° 27' EAST,
1194.0 FEET FROM THE SW CORNER, SECTION 28.

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 $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 28
TOWNSHIP 5 NORTH, RANGE 28 EAST, W.M.

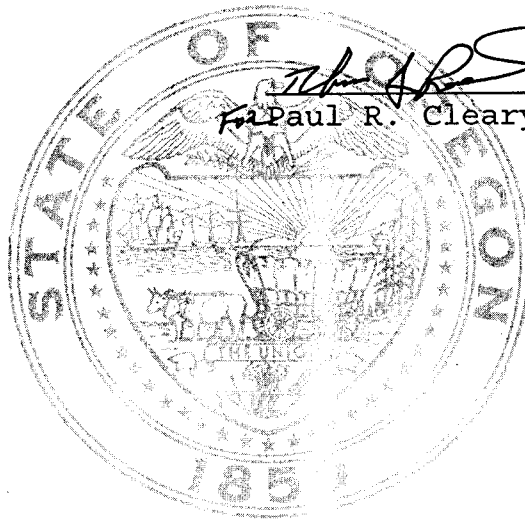
This certificate describes that portion of the water right confirmed by Certificate 34390, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 06 2001, approving Transfer Application 7627.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 AUG 06 2001.



Paul R. Cleary
Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 77029.