

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of Three Creek, a tributary of Squaw Creek, to maintain instream flows for aquatic species.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 20. The dates of priority are 1886 and 1891.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.757 CUBIC FOOT PER SECOND (CFS), being 0.61 CFS with a priority date of 1886 and 0.147 CFS with a priority date of 1891, or its equivalent in case of rotation, measured at the point of diversion from the source, during the period FROM May 1 THROUGH August 8 of each year.

A description of the stream reach to which this right is appurtenant is as follows:

From the site of the authorized point of diversion under the right transferred at Three Creek Ditch located in the SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SECTION 17, T 16 S, R 10 E, W.M. to Snow Creek Ditch located in the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 9, T 17 S, R 9 E, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within 60 days of the date of service.

This instream right shall replace a portion of any existing instream rights established pursuant to ORS 537.341 or 537.346 and be in

addition to any instream water rights established pursuant to ORS 537.348 or 537.470.

This certificate is issued to confirm a change in use and place of use approved by an order of the Water Resources Director approving Transfer 9360, and supersedes Certificate 74525, State Record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use in the place of use described and is subject to all other conditions and limitations contained in said decree.

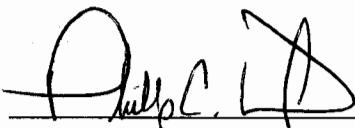
Mitigation Credit Award

Mitigation Project: MP-3  
Mitigation Credits Awarded: 109.1  
Zone of Impact: Mitigation credits may be used to satisfy a mitigation obligation within the General Zone of Impact

This instream water right certificate is a ground water mitigation project and may be used to satisfy a mitigation obligation of a ground water permit application(s) and/or a ground water permit(s)/certificate(s) within the Deschutes Ground Water Study Area pursuant to the Deschutes Ground Water Mitigation Rules.

Mitigation credits are valid until used to satisfy a mitigation obligation of a ground water permit applicant and/or ground water permit/certificate holder.

WITNESS the signature of the Water Resources Director,  
affixed JANUARY 27, 2004

for   
Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80590.