

STATE OF OREGON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OREGON 97301

The specific limits for the use are listed below along with conditions of use.

Source: ELK CREEK, TRIBUTARY TO UMPQUA RIVER

County: Douglas

Purpose use: Providing required stream flows for Oregon chub, sea-run and resident cutthroat trout, coho and fall chinook salmon, winter steelhead, and smallmouth bass for migration, spawning, egg incubation, fry emergence, and juvenile rearing.

To be maintained in: ELK CREEK FROM BILLY CREEK, RIVER MILE 22.7 (SE 1/4 NW 1/4, SECTION 18, TOWNSHIP 22 SOUTH, RANGE 5 WEST); TO THE MOUTH, RIVER MILE 0.0 (NE 1/4 NE 1/4, SECTION 30, TOWNSHIP 22 SOUTH, RANGE 7 WEST).

The right is established under Oregon Revised Statutes 537.341.

The date of priority is January 10, 1991.

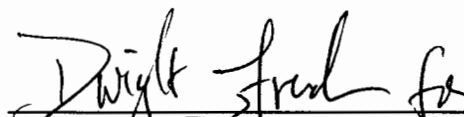
The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>
0	0	0	0	0	0	22.5	10.8	13.6	23.5	0	0

2. The water right holder shall measure and report the in-stream flow along the reach of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. 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.
5. The flows are to be measured at the lower end of the stream reach to protect necessary flows throughout the reach.
6. As of January 2004, water is available for further appropriation at a 50% exceedence level November through March.

Issued July 13, 2004.


Phillip C. Ward, Acting Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80819.

IS-71183.GC