

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 the Deschutes River, a tributary of the Columbia River, to maintain instream flows for aquatic and fish 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 9, at Page 453. The date of priority is October 31, 1900 and December 2, 1907.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed

- 0.13 Cubic Foot per Second (CFS) during the period April 1 to May 1 and October 1 to November 1 with a priority date of October 31, 1900,
- 0.17 CFS during the period May 1 to May 15 and September 15 to October 1 with a priority date of October 31, 1900, and
- 0.30 CFS, being 0.22 CFS with a priority date of October 31, 1900 and 0.08 CFS with a priority date of December 2, 1907, during the period May 15 to September 15

or its equivalent in case of rotation during the period from April 1 to November 1 of each year.

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.

The authorized point of diversion is located as follows:

Central Oregon Irrigation District (COID) North Canal: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T17S, R12E, W.M.; 850 feet North and 630 feet West from the E $\frac{1}{4}$ Corner, Section 29

A description of the place of use to which this right is appurtenant is as follows:

From the authorized point of diversion at the COID North Canal (SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, T17S, R12E, W.M.; 850 feet North and 630 feet West from the E $\frac{1}{4}$ Corner, Section 29) to Lake Billy Chinook.

Regulation to satisfy the quantity of water for this instream use will be based on flows available at the original point of diversion.

This instream right shall be in addition to an existing instream right for the Deschutes River, evidenced by Certificate 80400, during the irrigation season each year, from April 1 to November 1 of each year.

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 9603, and supersedes Certificate 76358, State Record of Water Right Certificate.

Mitigation Credit Award

Mitigation Project: MP-11
 Mitigation Credits Awarded: 32.9
 Zone of Impact: Mitigation credits may be used to satisfy a mitigation obligation within the Middle Deschutes Zone of Impact and/or General Zone of Impact

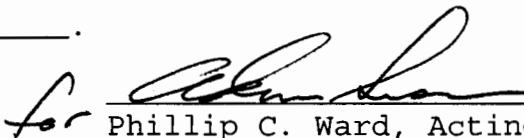
The number of mitigation credits awarded is a portion of the total volume transferred instream, being 99.74 AF. Each mitigation credits equals 1.0 AF of mitigation water, as determined by the Department.

The mitigation credits or mitigation water established by this instream water right 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.

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.

WITNESS the signature of the Water Resources Director,
 affixed July 20, 2004.


 for Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificate numbered 80856.