

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON  
WATER RESOURCES DEPARTMENT  
SALEM, OREGON 97301

confirms the right to use the waters of WALLA WALLA RIVER, a tributary of the COLUMBIA RIVER, in the UMATILLA BASIN for INSTREAM USE for the support of fish and aquatic life.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 9. The dates of priority are 1878 plus one minute for 0.04375 CUBIC FOOT PER SECOND and 1908 plus one minute for 0.01625 CUBIC FOOT PER SECOND. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.06 CUBIC FOOT PER SECOND or its equivalent in case of rotation, during the period APRIL 1 through OCTOBER 31; and at other times when the originating right is being exercised, at the original authorized point of diversion.

A description of the stream reach in which flows are to be maintained is as follows:

From the Little Walla Walla diversion on the Walla Walla River located 7,091 feet South and 3,450 feet East of the NW Corner of Section 1, T 5 N, R 35 E, W.M.

To the state line.

(NOTE: The 1908 right is limited to the use of surplus water only.)

Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original point of diversion. Stream channel losses and gains calculated based on available data and the use of water by senior appropriators will determine the amount of water to which this right is entitled downstream from the original point of diversion within the specified stream reach.

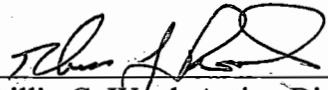
This instream right shall replace a portion of any existing instream water rights established pursuant to ORS 537.341 or 537.346 and be in addition to any instream water rights established pursuant to ORS 537.348 or 537.470.

This 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 of the order must be filed within the 60 days of the date of service.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by Special Order Volume 61, Page 571 of the Water Resources Director entered September 27, 2004, approving Allocation of Conserved Water Number C-25 and along with Certificate 80967, supersedes Certificate 12892, State Record of Water Right Certificates. 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.

WITNESS the signature of the Water Resources Director,

affixed October 6, 2004.

  
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For Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80968.