

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

confirms the right to use the waters of the WALLA WALLA R (also known as the Tualum River), a tributary of the COLUMBIA R, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The date of priority is 1900. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.027 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion, from April 1 to October 31, and at other times when other agricultural diversions are being exercised. Immediately below the POD the maximum allowed rate is 0.005 cfs.

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

From the location of the diversion authorized previously under Certificate 13123, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 N	35 E	WM	1	SE NW	890 Feet North and 425 Feet West of Center of Section 1

To the State Line.

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.

The instream right established by this transfer shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right.

The right is subject to all other terms and conditions of Certificate 13123 and any related decree.

This certificate is issued to confirm a change in use and place of use approved by an order of the Water Resources Director recorded in Special Order Volume 65, Page 323, approving Transfer 9618, and supercedes Certificate 13123, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed July 18, 2008


 Phillip C. Ward, Director

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.