

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.

STATE OF OREGON  
COUNTY OF CURRY  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE  
3406 CHERRY AVE NE  
SALEM OR 97303

confirms the right to use the waters of ELK RIVER, a tributary of the PACIFIC OCEAN, for the purpose of DOMESTIC USE FOR THREE FAMILIES AND FISH HATCHERY.

The right has been perfected under Permit 33339. The date of priority is JANUARY 16, 1968. The right is limited to not more than 20.015 CUBIC FEET PER SECOND (CFS), BEING 0.015 CFS FOR DOMESTIC USE AND 20.000 CFS FOR FISH HATCHERY USE, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

ORIGINAL POINT OF DIVERSION: LOT 2 (SW 1/4 SE 1/4), SECTION 6, T 33 S, R 14 W, W.M.; 640 FEET NORTH AND 785 FEET EAST FROM THE SOUTH 1/4 CORNER, SECTION 6.

ADDITIONAL POINT OF DIVERSION: LOT 2 (SW 1/4 SE 1/4), SECTION 6, T 33 S, R 14 W, W.M.; 200 FEET NORTH AND 1210 FEET EAST FROM THE SOUTH 1/4 CORNER, SECTION 6.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

LOT 2 (SW 1/4 SE 1/4)  
SECTION 6  
TOWNSHIP 33 SOUTH, RANGE 14 WEST, W.M.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 20.015 cubic feet per second.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

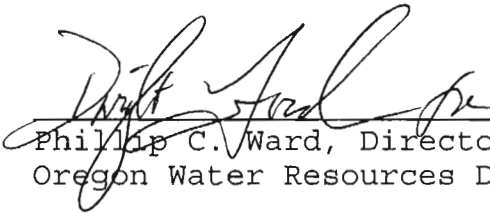
the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered FEBRUARY 24, 1986, approving Transfer Application 5740, and supersedes certificate 42611, 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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed

**JAN 05 2007**

  
Phillip C. Ward, Director  
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82642