

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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of FERN RIDGE RESERVOIR, CONSTRUCTED UNDER PERMIT R-1625, a tributary of LONG TOM RIVER, for PRIMARY IRRIGATION OF 143.0 ACRES AND IRRIGATION OF 247.6 ACRES IN THE DEFICIENCY IN DUTY UNDER CERTIFICATE 58692.

This right was perfected under Permit 49870. The date of priority is FEBRUARY 25, 1986. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 489.77 ACRE-FEET (AF), BEING 357.5 AF FOR IRRIGATION AND .132.27 AF TO SUPPLEMENT THE DUTY UNDER CERTIFICATE 58692, STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

FERN RIDGE RESERVOIR DAM: SW $\frac{1}{4}$, SECTION 3, AND SE $\frac{1}{4}$, SECTION 4, T 17 S, R 5 W, W.M.

DIVERSION 1 - NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 35, T 17 S, R 5 W, W.M.; 1200 FEET SOUTH AND 350 FEET EAST FROM THE NW CORNER OF SECTION 35.

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DIVERSION 2 - NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 35, T 17 S, R 5 W, W.M.; 890 FEET SOUTH AND 1750 FEET EAST FROM THE NW CORNER OF SECTION 35.

DIVERSION 3 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 34, T 17 S, R 5 W, W.M.; 2840 FEET SOUTH AND 1170 FEET WEST FROM THE NE CORNER OF SECTION 34.

DIVERSION 4 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 35, T 17 S, R 5 W, W.M.; 1850 FEET SOUTH AND 1310 FEET EAST FROM THE NW CORNER OF SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from storage from reservoir constructed under Permit R-1625, and is subject to the terms and conditions of Contract 1-07-10-W0414 between the Bureau of Reclamation and the water user, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Director.

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

PRIMARY IRRIGATION

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 17.9 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.5 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.6 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.3 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.2 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.7 ACRES
 SECTION 26

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.1 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 ACRE

BOTH AS PROJECTED WITHIN T. DRISKELL DLC 58
 SECTION 34

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 21.8 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 16.8 ACRES
 SECTION 35

TOWNSHIP 17 SOUTH, RANGE 5 WEST, W.M.

SUPPLEMENTAL FOR DUTY

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 19.8 ACRES
 LOT 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) 7.8 ACRES
 LOT 4 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) 6.0 ACRES

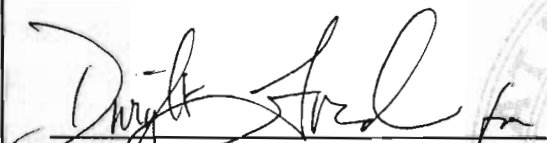
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.6 ACRE
AS PROJECTED WITHIN T. DRISKELL DLC 58
SECTION 34

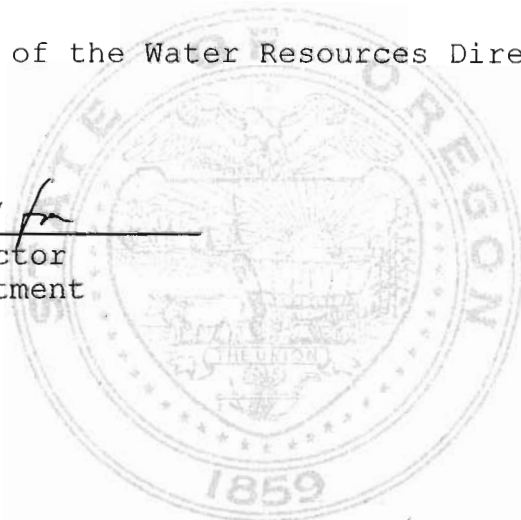
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 29.5 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 19.2 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12.1 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 23.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.4 ACRES
LOT 1 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) 15.8 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 26.1 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 19.1 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.1 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 22.7 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.9 ACRES

SECTION 35
TOWNSHIP 17 SOUTH, RANGE 5 WEST, W.M.

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 **NOV 17 2006**


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates numbered 82688.