

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 POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE CONFEDERATED TRIBES OF THE GRAND RONDE COMMUNITY OF OREGON
9615 GRAND RONDE ROAD
GRAND RONDE, OREGON 97347

confirms the right to use the waters of the SOUTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for QUASI-MUNICIPAL.

This right was perfected under Permit 9913. The date of priority is OCTOBER 24, 1930. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 CUBIC FOOT PER SECOND DURING THE IRRIGATION SEASON OF EACH YEAR (IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION LOCATED IN THE NW 1/4 NW 1/4, AS PROJECTED WITHIN KUYKENDALL DLC 57, Section 17, AND THE NE 1/4 NE 1/4, AS PROJECTED WITHIN KUYKENDALL DLC 57, Section 18, TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.); or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NW 1/4, AS PROJECTED WITHIN KUYKENDALL DLC 57, SECTION 17, T 6 S, R 7 W, W.M.; SOUTH 61° 42' 20" WEST 2703 FEET FROM THE SE CORNER OF KUYKENDALL DLC 57.

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

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

W ½ SECTION 30	W ½ SECTION 32
All SECTION 31	
TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.	

ALL SECTIONS 27 AND 28	ALL SECTIONS 34, 35, AND 36
All SECTIONS 30, 31, 32, AND 33	
TOWNSHIP 5 SOUTH, RANGE 7 WEST, W.M.	

ALL SECTION 25	ALL SECTIONS 33, 34, 35, AND 36
All SECTIONS 29, 30, 31, AND 32	
TOWNSHIP 5 SOUTH, RANGE 8 WEST, W.M.	

W ½ SECTION 5	ALL SECTIONS 19, 20, 21, AND 22
All SECTIONS 6 AND 7	ALL SECTIONS 27, 28, AND 29
W ½ SECTION 8	ALL SECTIONS 32, 33, AND 34
All SECTIONS 15, 16, 17, AND 18	
TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.	

ALL SECTIONS 1, 2, 3, 4, 5, AND 6	ALL SECTIONS 16, 17, AND 18
All SECTIONS 7, 8, 9, 10, AND 11	ALL SECTIONS 21, 22, 23, AND 24
All SECTIONS 12, 13, 14, AND 15	ALL SECTIONS 25, 26, 27, AND 28
TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.	

ALL SECTIONS 1, 2, AND 3	E ½ NE ¼ NE ¼ SE ¼ SECTION 6
N ½ N ½ S ½ SECTION 4	ALL SECTIONS 10, 11, 12, AND 13
N ½ N ½ S ½ SECTION 5	ALL SECTIONS 14 AND 15
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.	

The quantity of water diverted at the new point of diversion, together with that diverted from the original point(s) of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.


The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm a change in POINT OF DIVERSION, CHARACTER OF USE, and PLACE OF USE approved by an order of the Water Resources Director entered MARCH 20, 2003, and supersedes Certificate 49476, 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 is subject to the existing minimum flow policies established by the Water Resources Policy Review Board.

Issued DEC 29 2006


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82986.