

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 WALLA WALLA RIVER, tributary to COLUMBIA RIVER, 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 decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 9. The date of priority and rate are as described below:

Priority Date	Instream Water Right Rate (cfs)
1879 + 1 minute	0.075
1885 + 1 minute	0.101
1887 + 1 minute	0.121
1894 + 1 minute	0.038
<i>Total</i>	<i>0.335</i>

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

In the Walla Walla River from the Little Walla Walla River headgate-diversion at approximately River Mile 46 in:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 N	35 E	WM	12	SW NE	7,091 FEET SOUTH AND 3,450 FEET EAST OF THE NW CORNER OF SECTION 1

to the State Line. The instream use shall allow the use and protection of flows from April 1 through October 31, and at other times when agricultural diversions are being exercised.

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 Little Walla Walla River headgate-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 Little Walla Walla River headgate-diversion within the specified stream reach.

The instream right established by this Allocation of Conserved Water 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.

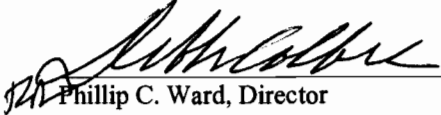
The right is subject to all other terms and conditions of Certificate 44131, 44116, 39602, 12611, 12528 and 13144 and any related decree.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Volume 71, Page 636, Special Order Records of the Water Resources Department, approving

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.

conserved water application CW-45, and together with Certificates 83358, 83359, 83360, and the amount of water used beneficially under the transfers associated with and described in CW-45 supercedes Certificates 44131, 44116, 39602, 12611, 12528 and 13144 State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed MAY 04 2007.


Phillip C. Ward, Director