

STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

confirms the right to use the waters of DESCHUTES 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, pollution abatement, and recreation.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The date of priority is OCTOBER 31, 1900. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed the rates described below, or their equivalents in case of rotation, measured at the point of diversion.

The description of the stream reach in which flows are to be maintained, begins from the location of the diversion authorized previously under Certificate 83571, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
18 S	11 E	WM	13	SW NE	POD #1 (CENTRAL OREGON CANAL): 1520 FEET SOUTH AND 1535 FEET WEST FROM NE CORNER OF SECTION 13
17 S	12 E	WM	29	SE NE	POD #11 (COID NORTH CANAL): 850 FEET NORTH AND 630 FEET WEST FROM THE E ¼ CORNER OF SECTION 29

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

Reach #1: POD #1 (Central Oregon Canal) to POD #11 (COID North Canal)

<i>Period Protected Instream</i>	<i>Instream Rate</i>
April 1 through April 30 and October 1 through October 26	0.041 CFS*
May 1 through May 14 and September 15 through September 30	0.055 CFS
May 15 through September 14	0.102 CFS
*CFS = cubic foot per second	

Reach #2: POD #11 (COID North Canal) to Round Butte Dam (approximately River Mile 110)

<i>Period Protected Instream</i>	<i>Instream Rate</i>
April 1 through April 30 and October 1 through October 26	0.276 CFS
May 1 through May 14 and September 15 through September 30	0.367 CFS
May 15 through September 14	0.680 CFS

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.

Reach #3: Round Butte Dam (approximately River Mile 110) to mouth of Deschutes River

<i>Period Protected Instream</i>	<i>Instream Rate</i>
April 1 through October 26	0.17 CFS

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 beginning of the reach. Stream channel losses and gains calculated based on available data and the use of senior appropriators will determine the amount of water to which this right is entitled downstream from the beginning of each 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 an order approving a new instream water right under these statutes.

The right to the use of the water for the above purpose is restricted to beneficial use in the place of use described and is subject to all other terms and conditions of Certificate 83571, 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 73, Page ~~403~~ approving Transfer T-10299, and along with the remaining right certificate supercedes Certificate 83571, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed OCT 05 2007.


for Phillip C. Ward, Director