

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 CRESCENT LAKE RESERVOIR, tributary to CRESCENT CREEK, 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 perfected under Permit S-624. The date of priority is APRIL 7, 1911. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 89.25 ACRE FEET, or its equivalent in case of rotation, measured at the point of diversion, from January 1 to December 31.

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

From the location of the diversion authorized previously under Certificate 74148, located approximately at:

Twp	Rng	Mer	Sec	Q-Q
24 S	6 E	WM	11	SE SW & SW SE

To the mouth of CRESCENT CREEK and then into the LITTLE DESCHUTES RIVER from the mouth of Crescent Creek to the mouth of the Little Deschutes River and then into the DESCHUTES RIVER to LAKE BILLY CHINOOK at River Mile 120.

To account for channel losses, an 18 percent loss factor shall be applied between the mouth of Crescent Creek on the Little Deschutes River to Benham Falls on the Deschutes River. A 7 percent loss factor shall be applied on the Deschutes River between Benham Falls and the City of Bend. For example, if 9.18 cfs was protectable under this right at Crescent Creek Gauging Station No. 14060000, then the 7.53 cfs would be protectable at Benham Falls and 7.00 cfs would be protectable at Bend.

The State of Oregon may call for water to be released from storage during any month of the year, but the State is limited to a maximum of two changes in the amount of water being released in any month, unless the Water Resource Director and TID concur that additional changes may be made.

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 a subsequent order establishing a new instream water right.

The right is subject to all other terms and conditions of Certificate 74148, and any related decree.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 75, Page 202, finalizing the first increment of conserved water under application CW-37, and together with the remaining right to be issued supercedes Certificate 74148, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed June 25, 2008.



Phillip C. Ward, Director

Mailing date: JUN 26 2008