

STATE OF OREGON
COUNTY OF HOOD RIVER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MIDDLE FORK IRRIGATION DISTRICT
PO BOX 291
PARKDALE OR 97041

confirms the right to use the waters of CLEAR BRANCH AND LAURANCE LAKE RESERVOIR, TRIBUTARY OF MIDDLE FORK HOOD RIVER, CONSTRUCTED UNDER PERMIT R-4896 WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY OF WATER FROM CLEAR BRANCH AND LAURANCE LAKE RESERVOIR TO BE MADE UP FROM NOT TO EXCEED 25 CUBIC FEET PER SECOND EACH FROM ELIOT BRANCH AND COE BRANCH for DEVELOPMENT OF 6123 THEORETICAL HORSEPOWER AT POWER PLANTS ONE, TWO AND THREE OF THE MIDDLE FORK IRRIGATION DISTRICT HYDROELECTRIC PROJECT.

This right was perfected under Permit 49344. The date of priority is JANUARY 26, 1981, FOR 20 CUBIC FEET PER SECOND (CFS) FROM CLEAR BRANCH AND RESERVOIR, 10 CFS EACH FROM ELIOT BRANCH AND COE BRANCH, AND JULY 14, 1982, FOR 20 CFS FROM CLEAR BRANCH AND RESERVOIR, AND 15 CFS EACH FROM ELIOT BRANCH AND COE BRANCH. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 40 CUBIC FEET PER SECOND

The points of diversion are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
1 - CLEAR BRANCH	1 S	9 E	WM	27	NW NE		520 FEET SOUTH & 2500 FEET WEST FROM NE CORNER OF SECTION 27
2 - ELIOT BRANCH	1 S	9 E	WM	26	SW NE		2450 FEET SOUTH & 2280 FEET WEST FROM NE CORNER OF SECTION 26
3 - COE BRANCH	1 S	9 E	WM	27	SE NE		2600 FEET SOUTH & 945 FEET WEST FROM NE CORNER OF SECTION 27

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

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

POU	Twp	Rng	Mer	Sec	Q-Q	GLot
POWERHOUSE NO.1	1 S	10 E	WM	18	NE SW	
POWERHOUSE NO. 2	1 S	10 E	WM	6	SW SW	7
POWERHOUSE NO. 3	1 N	10 E	WM	31	NE SW	


The right granted herein is expressly made inferior in right and subsequent in time to any appropriation of water from this source which may hereafter be made for domestic, municipal, irrigation or any other beneficial consumptive use, or for storage for such purposes.

The water user must remain qualified as a municipal corporation and that failure of the District or successor to remain qualified will result in cancellation of this right.

The District shall operate this right in accordance with the agreement between the Middle Fork Irrigation District and the Oregon Department of Fish and Wildlife for fish protection dated May 24, 1982, or subsequent agreements.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued: **AUG 20 2008**


Phillip C. Ward, Director
Water Resources Department