

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 the Deschutes River, tributary to the 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; recreation.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem in the Order Record of the Water Resources Director, in Volume 12, at Page 282 and in volume 16, at Pages 1 and 390. The date of priority is October 31, 1900.

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 83571, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	29	SE NE	POD #11 (COID NORTH CANAL): 850 FEET NORTH AND 630 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 29

To Lake Billy Chinook (River Mile 120).

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed:

Instream Period	April 1 through April 30 and October 1 through October 26	May 1 through May 14 and September 15 through September 30	May 15 through September 14
Instream Rate	0.060 Cubic Foot per Second (CFS)	0.080 CFS	0.148 CFS

or its equivalent in case of rotation during the period from April 1 through October 26.

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 original point of diversion.

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, during the period April 1 through October 26, unless otherwise specified by a subsequent order establishing a new instream water right.

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 78, Page 862, approving Transfer T-9150, and supersedes a portion of Certificate 83571, State Record of Water Right Certificates.

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 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.

Mitigation Project MP-118

Mitigation Water:	15.7 Acre-Feet
Zone of Impact:	This mitigation water may be used to satisfy a mitigation obligation within the General Zone of Impact.
Ground Water Mitigation:	MP-118 is used to satisfy a portion of the Mitigation Obligation of Ground Water Permit Application G-16791, its succeeding permit and any subsequent certificate(s).

The amount of mitigation water generated by this mitigation project is a portion of the total volume transferred instream, being 47.53 AF. The remaining balance of water dedicated to instream use, and not used to satisfy the mitigation obligation of Ground Water Permit Application G-16791, will benefit instream flows.

The right is subject to all other terms and conditions of Certificate 83571, and any related decree.

WITNESS the signature of the Water Resources Director, affixed September 9, 2009.


Phillip C. Ward, Director *pn*