

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of FIFTEENMILE CREEK, 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.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wasco County. The date of priority is 1875. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed:

Reach	Instream Rates
Reach #1	0.063 Cubic Foot per Second (CFS)
Reach #2	0.243 CFS
Reach #3	0.286 CFS
Reach #4	0.143 CFS

or its equivalent in case of rotation, measured at the point of diversion, from July 1 through October 29.

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

Reach #1: From point of diversion #3 to point of diversion #2 previously authorized under Certificate 62741, point of diversion #3 located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	1	SW SE	POD #3 – 1910 FEET SOUTH AND 2170 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 1

Reach #2: From point of diversion #2 to point of diversion #1 previously authorized under Certificate 62741, point of diversion #2 located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	1	NE SE	POD #2 – 150 FEET SOUTH AND 870 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 1

Reach #3: From point of diversion #1 to River Mile 29, point of diversion #1 located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	12 E	WM	1	SE NE	POD #1 - 290 FEET NORTH AND 200 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 1

Reach #4: From River Mile 29 to the mouth of Fifteenmile Creek.

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.

Water rights upstream of the original point of diversion shall not be subject to regulation for flows in excess of the quantities to which this instream water right is entitled at the original point of diversion.

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. 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 original point of diversion within the specified stream reach from River Mile 29 to the mouth of Fifteen Mile Creek and whether the described instream flows below River Mile 29 may be adjusted. If adjusted, instream flows from River Mile 29 to the mouth of Fifteen Mile Creek may not exceed the quantities specified within Reach #3.

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 62741, 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 87, Page 64, approving Transfer T-11272, and supersedes Certificate 62741, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed May 22, 2012.


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR