

STATE OF OREGON
 COUNTY OF KLAMATH
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

confirms the right to use the waters of FIVE MILE CREEK, tributary to NORTH FORK SPRAGUE 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 perfected under Permit S-27145. The date of priority is JANUARY 16, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1.32 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion, from July 1 through September 15.

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 45158, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 T S	13 E	WM	2	NE NE	1	NORTH 28 DEGREES 7¼ MINUTES WEST, 2488.8 FEET FROM THE SE CORNER OF THE SE NE OF SECTION 2

To the mouth of Five Mile Creek.

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.

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, 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 45158, 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 89, Page ~~432~~ approving Transfer T-11279, and supersedes Certificate 45158, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed April 14, 2013.


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

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.