

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO:

NORTH UNIT IRRIGATION DISTRICT
2024 NW BEECH STREET
MADRAS, OR 97741

confirms the right to use up to 400 CUBIC FEET PER SECOND (cfs) of the waters of the DESCHUTES RIVER, WICKIUP RESERVOIR, CROOKED RIVER, and HAYSTACK RESERVOIR, all tributary to the COLUMBIA RIVER, for HYDROELECTRIC PRODUCTION of 682 THEORETICAL HORSEPOWER (thp).

The use of water for hydroelectric purposes shall be in conjunction with water used under the rights of North Unit Irrigation District evidenced by Certificates 72279, 72280, 72281, 72282, 80936, 80937, 88876, and 88877, as delivered through the North Unit Main Canal. Use of water shall be limited to periods when the water rights under the above certificates are put to beneficial use without waste. The amount of water used shall not be greater than the quantity of water diverted to satisfy the authorized specific uses under the above certificates. The use of water shall be limited by rate, duty, season, and any other limitations of the above certificates. ORS 543.765(5)(c) and (d).

This right was filed under application PC 899.

Appeal Rights: This is a final order in other than 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.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law.

The points of diversion are located as follows:

Source	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Deschutes River	17 S	12 E	WM	29	SE NE	1700 Feet South and 730 Feet West of the NE Corner of Section 29
Wickiup Reservoir	22 S	9 E	WM	7	SW NE	
Crooked River	14 S	13 E	WM	13	SW NE	590 Feet North and 2790 Feet East from the W ¹ / ₄ Corner of Section 13
Haystack Reservoir	12 S	13 E	WM	27	SW NE	

The point of redirection on the North Unit Main Canal at the Monroe Drop Structure is located as follows:

Twp	Rng	Mer	Sec	Q-Q
13 S	12 E	WM	12	SW NW

The authorized place of use is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot
13 S	12 E	WM	12	SW NW	200

The water right holder shall measure and report the quantity of water diverted. ORS 543.765(5)(e).

Project Description

The proposed Monroe Drop Hydroelectric Project would be located at an existing, concrete drop structure on the North Unit Irrigation District's Main Canal (Canal) near the town of Culver in Jefferson County, Oregon. The Canal diverts water for irrigation from the Deschutes River near Bend, Oregon (located approximately 37 miles south of the proposed project) and from the Crooked River through a series of canals and drop structures to irrigate farm land. From the diversion points along the Deschutes and Crooked Rivers, water is delivered to irrigation customers.

The proposed Monroe Drop Hydroelectric Project would divert water from the existing Canal above the Monroe Drop structure into an approximate 48-foot-long, 7-foot diameter intake pipe, to a proposed powerhouse containing one generating unit with an installed capacity of 300kW, and exit through a proposed approximate 25-foot long rectangular section draft tube of varying dimension, returning all flows back into the Canal for delivery to the District's irrigation patrons. The proposed project would not change the timing or location of water delivered to the existing water supply system.

The turbine will use up to 400 cubic feet per second (cfs) of water for hydroelectric generation with an operating head of 15 feet. This provides approximately 682 theoretical horsepower (thp) of capacity.

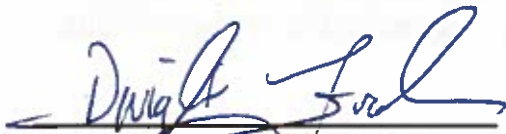
WATER RIGHT CONDITIONS

Upon review of the application, the Oregon Water Resources Department (OWRD, or the Department) finds that the Project, with the conditions set forth below is consistent with the public interest. The Project is well adapted to the development and utilization of the water power involved.

1. The water right holder shall comply with all statutes and rules applicable to the Project.
2. The Project shall be built and constructed according to the maps, plans, and specifications filed with the application within five years of issuance of this water right certificate or by any lawful extension thereof. ORS 543.765(13).
3. The water right holder shall construct, operate and maintain all fish screens, by-pass devices and fish passages as required by the Oregon Department of Fish and Wildlife. ORS 543.765(5)(a).
4. To the extent allowed by law, the OWRD Director and authorized agents and employees of the Oregon Department of Environmental Quality, Oregon Department of Fish and Wildlife, and OWRD shall be allowed free and unrestricted access in, through, and across the Project in the performance of their official duties, and shall be allowed free access to all reports, accounts, records, and other data relating to said Project.
5. When applicable, the restrictions established in ORS 543.660 shall apply as conditions of use. ORS 543.765(5)(f).
6. This certificate shall be invalidated upon a change in the point of diversion of the water rights evidenced by Certificates 72279, 72280, 72281, 72282, 80936, 80937, 88876, or 88877. ORS 543.765(6).
7. The Department shall conduct a review of this certificate upon approval of any changes or adjustments made to the applicant's existing water rights evidenced by Certificates 72279, 72280, 72281, 72282, 80936, 80937, 88876, or 88877 to determine if a revised certificate should be issued. ORS 543.765(6).
8. The right to use water under this certificate is invalidated if the Federal Energy Regulatory Commission exemption related to the certificate is canceled or invalidated. ORS 543.765(5)(h).
9. This certificate does not have its own priority date. The Department shall not regulate for or against this certificate. This certificate does not grant a right to divert water for hydroelectric purposes other than in conjunction with the water rights as used under Certificates 72279, 72280, 72281, 72282, 80936, 80937, 88876, or 88877. ORS 543.765(9) and (10).

10. This certificate is subject to review by the Department 50 years after the date of issuance pursuant to ORS 543.765(12).
11. The water right holder shall pay, upon receiving an invoice from OWRD, an annual fee to OWRD under ORS 543.078. This amount shall be due by the date specified on the invoice. ORS 543.765 (16) and (14).
12. Failure to comply with any of the provisions of this water right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the water right.

Issued November 18, 2014



Dwight W. French, Administrator
Water Right Services Division, for
Thomas M. Byler Director,
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 89653.