

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of WHYCHUS CREEK, a tributary of the DESCHUTES RIVER, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, and other ecological values, and recreation.

This right was confirmed by decree of the Circuit Court of the State of Oregon for CROOK COUNTY. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 1, at Pages 120 and 471. The date of priority is 1886. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.35 cfs from April 1 to November 1.

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

From the location of the diversion previously authorized under Certificate 293, located at approximately River Mile 23.7:

Twp	Rng	Mer	Sec	Q-Q	Coordinates
15 S	10 E	WM	17	NE SE	Latitude: 44.268085; Longitude: 121.558340 Also measured as: 600 FEET SOUTH AND 1170 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 17

To the mouth of Whychus Creek, at River Mile 0.0.

Unless otherwise specified by a subsequent order establishing a new instream water right, this instream right created shall be additive to any instream water rights established pursuant to ORS 537.341, 537.346, 537.348 or 537.470 from the authorized point of diversion to River Mile 19.5 for the period of March 1 through September 14. For the period of September 15 to October 31, the instream right created shall replace a portion of any instream water right created pursuant to ORS 537.341 or 537.346, and shall be additive to any instream water right created pursuant to ORS 537.348 or 537.470 from the authorized point of diversion to River Mile 19.5.

The instream right created shall replace a portion of any instream water right established pursuant to ORS 537.341 and 537.346, and shall be additive to any instream water right established pursuant to 537.348 and 537.470 from River Mile 19.5 to the mouth of Whychus Creek, unless otherwise specified by a subsequent order.

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 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.

