

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 Deming Creek, tributary to South 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 confirmed by decree of the Circuit Court of the State of Oregon for Klamath County. The date of priority is 1882. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed:

Instream Reach No.	Instream Period	
	March 1 through May 31	June 1 through September 30
	Instream Rate (CFS)	Instream Rate (CFS)
Reach No. 1	1.26	0.35
Reach No. 2	1.14	0.31

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

**Instream Reach No. 1:** From the location of the diversion authorized previously under Certificate 9952, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	14 E	WM	23	NE SE	LOWERMOST DIVERSION – LATITUDE: 42.433358 LONGITUDE: -121.017567

To the mouth of Deming Creek.

**Instream Reach No. 2:** From the mouth of Deming Creek into the South Fork Sprague River to the confluence with the North Fork Sprague River.

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.

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.

During the period March 1 through September 30, 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 9952, 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 106, Page 181, approving Transfer T-11810, and along with Certificate 91218 supersedes Certificate 9952, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed APR 19 2016.



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