

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PACIFICORP
C/O JOHN SAMPLE
825 NE MULTNOMAH STREET SUITE 1800
PORTLAND, OR 97232

confirms the right to use the waters of NORTH FORK ROGUE RIVER, SOUTH FORK ROGUE RIVER, MIDDLE FORK ROGUE RIVER AND RED BLANKET CREEK, all tributaries to ROGUE RIVER for the development of hydroelectric energy.

Total diversions from all sources shall not exceed 1050 Cubic Feet per Second (CFS).

The developments as amended are described as follows.

NORTH FORK ROGUE RIVER:

PRIORITY DATE: October 8, 1904 for 400 CFS with 604 feet of head to develop 27,455 theoretical horsepower (THP), as confirmed by decree of the Circuit Court for Jackson County, said decree entered of record at Salem in the Order Record of the STATE ENGINEER Volume 4, Page 1, (original Certificate of Water Right #11282).

PRIORITY DATE: August 24, 1928, for 275 CFS with 604 feet of head to develop 18,875 THP, perfected under Permit S-9119 (original Certificate of Water Right #11218).

PRIORITY DATE: July 29, 2015 for 40 CFS for augmentation to offset diversions from Middle Fork Rogue River and/or Red Blanket Creek per the conditions below.

POINT OF DIVERSION: North Fork Canal being within the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 29, Township 32 South, Range 3 East, W.M.

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.

PLACE OF USE: Powerhouses #1, #2, and #4 in the
SE ¼ NW ¼, Section 6, Township 33 South, Range 3 East, W.M.
The forebay for the powerhouses is located in the
NW ¼ SW ¼, Section 31, Township 32 South, Range 3 East, W.M.

Developments perfected under Permit S-7861 (original Certificate of Water Right #9688):

SOUTH FORK ROGUE RIVER:

PRIORITY DATE: January 5, 1924, for 150 CFS using 695 feet of head to develop 11,847 THP.

POINT OF DIVERSION: South Fork Canal being within the
NW ¼ NE ¼, Section 18, Township 33 South, Range 4 East, W.M.

PLACE OF USE: Powerhouse #3 in the
SW ¼ NW ¼, Section 1, Township 33 South, Range 3 East, W.M.

And, then via the Middle Fork Canal with 604 feet of head to develop 10,295 THP.

PLACE OF USE: Powerhouses #1, #2, and #4 in the
SE ¼ NW ¼, Section 6, Township 33 South, Range 3 East, W.M.

MIDDLE FORK ROGUE RIVER:

PRIORITY DATE: January 5, 1924, for 150 CFS with 604 feet of head to develop 10,296 THP.

POINT OF DIVERSION: Middle Fork Canal being within the
NE ¼ NE ¼, Section 1, Township 33 South, Range 3 East, W.M.

PLACE OF USE: Powerhouses #1, #2, and #4 in the
SE ¼ NW ¼, Section 6, Township 33 South, Range 3 East, W.M.

RED BLANKET CREEK:

PRIORITY DATE: January 5, 1924, for 75 CFS with 604 feet of head to develop 5,148 THP.

POINT OF DIVERSION:
SW ¼ SE ¼, Section 27, Township 32 South, Range 3 East, W.M.

PLACE OF USE: Powerhouses #1, #2, and #4 in the
SE ¼ NW ¼, Section 6, Township 33 South, Range 3 East, W.M.

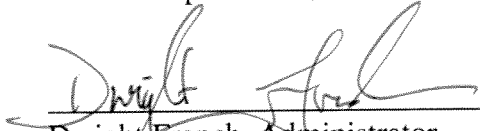
CONDITIONS FOR USE of 40 CFS for AUGMENTATION from NORTH FORK
ROGUE RIVER (Priority date of JULY 29, 2015)

- (1) During the high flow season from December 1 through June 30 of each year, when flows into the North Fork reservoir are greater than 735 cubic feet per second, then additional flows up to 40 CFS may be diverted from the North Fork Rogue River with an equivalent reduction in diversions from the Middle Fork Rogue River and Red Blanket Creek.
- (2) When offsetting augmentation at the North Fork diversion, PacifiCorp will look first to reduce Middle Fork diversions and secondarily those in Red Blanket Creek according to an approximate split of 25 cfs for the Middle Fork and 15 cfs for Red Blanket Creek.
- (3) The amount of water to which this right is entitled is limited to an amount beneficially used and shall not exceed 1050 CFS.
- (4) Minimum bypass flows and ramping rates as specified under the Oregon Department of Environmental Quality's Section 401 Certification for the Federal Energy Regulatory Commission licenses p-2630 and p-2337 shall be met at each diversion at all times.
- (5) Annual license fees for 83,916 THP shall be paid on or before January 1 of each calendar year with adjustments for cost of living as provided in ORS 543.078 and ORS 543.085. Should the terms and conditions of this water right certificate be extended or reauthorized at its expiration, the certificate holder shall pay such annual fees as the Director or its successor having jurisdiction in the matter at the time shall fix.

The right to the use of the water for hydroelectric purposes is restricted to the lands or place of use described.

This certificate is issued under ORS 543.092 and OAR 690-053 to amend a hydroelectric water right or claim for the Prospect Projects per amendment application filed July 29, 2015. This certificate confirms the prior certificates and incorporates the amendment to allow augmentation of flows from the North Fork Rogue while offsetting flows from the Middle Fork and Red Blanket Creek. This certificate supersedes water right certificates numbered 9688, 11218, and 11282.

Issued: April 26, 2016



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

Recorded in State Record of Water Right Certificates numbered 91430.