

STATE OF OREGON
COUNTY OF LINCOLN
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF TOLEDO
PO BOX 220
TOLEDO OR 97391

confirms the right to the use of water perfected under the terms of Permit S-9370. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: SILETZ RIVER, A TRIBUTARY OF THE PACIFIC OCEAN

PURPOSE OR USE: MUNICIPAL SUPPLY

MAXIMUM RATE: 1.34 CUBIC FEET PER SECOND

DATE OF PRIORITY: OCTOBER 24, 1929

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
10 S	10 W	WM	9	NW SW	24	1545 FEET NORTH AND 540 FEET EAST FROM SW CORNER, SECTION 9

A description of the place of use is as follows:

MUNICIPAL USES
WITHIN THE SERVICE BOUNDARIES OF THE CITY OF TOLEDO

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	10 W	WM	9	NW SW	1380 FEET NORTH AND 50 FEET EAST FROM SW CORNER, SECTION 9

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The water user shall operate and maintain the fish screens at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screens are functioning properly.

The City of Toledo shall adopt and implement a resolution committing the City to meet with ODFW in September on an annual basis to discuss options for water management on Mill Creek.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued to confirm changes in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 20, 2014, at Special Order Volume 93, Page 240, approving Transfer Application 11451, supersedes Certificate 87645, State record of Water Right Certificates.

DEC 01 2017

Issued _____.



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