

STATE OF OREGON  
COUNTY OF WALLOWA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON  
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of , 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 Wallowa County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 5 at Pages 115-156, 162, 175, 182, 184-185, 197, 200-202, and 205. Portions of this right were also confirmed by Permit S-12727.

The description of the quantity, priority dates, and stream reaches in which flows are to be maintained are as follows:

**LOSTINE RIVER, tributary to the Wallowa River**

**Instream Reach No. 1:**

At the Westside Ditch Point of Diversion (POD):

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	43 E	WM	27	NW SE	WESTSIDE DITCH: 152 FEET SOUTH AND 200 FEET EAST FROM THE CENTER OF SECTION 27

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.04	May 1 through July 31

**Instream Reach No. 2:**

From: Immediately below the Westside Ditch POD (described in Reach 1 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31

To: Miles-Magill Ditch POD:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	43 E	WM	9	NE SE	MILES – MAGILL DITCH: (Latitude: 45.494134; Longitude: -117.4380355698)

**Instream Reach No. 3:**

At the Miles-Magill Ditch POD (described in Reach 2 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31
53407	1896	0.07	
Total		1.09	

**Instream Reach No. 4:**

From: Immediately below the Miles-Magill Ditch POD (described in Reach 2 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31
53407	1896	0.07	
Total		1.09	

To: The Miles Ditch POD:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	43 E	WM	9	SE NE	MILES DITCH: (Latitude: 45.494134; Longitude: -117438922)

**Instream Reach No. 5:**

At the Miles Ditch POD (described in Reach 4 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31
53407	1896	0.07	
53407	1882	1.82	
Total		2.91	

**Instream Reach No. 6:**

From: Immediately below the Miles Ditch POD (described in Reach 4 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31
53407	1896	0.07	
53407	1882	1.78	
Total		2.87	

To: The Foster/Mid-Valley POD:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	43 E	WM	4	NE SW	FOSTER DITCH (aka MIDDLE VALLEY DITCH): 320 FEET SOUTH AND 625 FEET WEST OF THE CENTER OF SECTION 4; Latitude: 45.50716; Longitude: -117.45096

**Instream Reach No. 7:**

At Foster/Mid-Valley Ditch POD (described in Reach 6 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31
53407	1896	0.07	
53407	1882	1.78	
3192	1889	0.65	
3192	1883	0.01	
82198	1889	0.01	
Total		3.54	

**Instream Reach No. 8:**

From: Immediately below the Foster/Mid-Valley Ditch POD (described in Reach 6 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31
53407	1896	0.07	
53407	1882	1.78	
3192	1889	0.64	
3192	1883	0.01	
82198	1889	0.01	
	<b>Total</b>	<b>3.53</b>	

To: The Clearwater Ditch POD:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	43 E	WM	33	SW SW'	CLEARWATER DITCH: 1283 FEET NORTH AND 313 FEET EAST FROM THE SW CORNER OF SECTION 33

**Instream Reach No. 9:**

At the Clearwater Ditch POD (described in Reach 8 above)

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	1.02	May 1 through July 31
53407	1896	0.07	
53407	1882	1.78	
3192	1889	0.64	
3192	1883	0.01	
82198	1889	0.01	
3012	1883	1.2	
79891	May 1897	0.23	
3182	1883	0.58	
	<b>Total</b>	<b>5.54</b>	

**Instream Reach No. 10:**

From: Immediately below the Clearwater Ditch POD (described in Reach 8 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	0.94	May 1 through July 31
53407	1896	0.06	
53407	1882	1.64	
3192	1889	0.59	
3192	1883	0.01	
82198	1889	0.01	
3012	1883	1.08	
79891	May 1897	0.21	
3182	1883	0.52	
	<b>Total</b>	<b>5.06</b>	

To: The Tulley-Hill Ditch POD:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	43 E	WM	29	SE SW	TULLEY-HILL DITCH: 1080 FEET NORTH AND 2259 FEET EAST FROM THE SW CORNER OF SECTION 29 (Latitude: 45.533175; Longitude: -117.469878)

**Instream Reach No. 11:**

At the Tulley-Hill Ditch POD (described in Reach 10 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	0.94	May 1 through July 31
53407	1896	0.06	
53407	1882	1.64	
3192	1889	0.59	
3192	1883	0.01	
82198	1889	0.01	
3012	1883	1.08	
79891	May 1897	0.21	
3182	1883	0.52	
49087	1900	0.39	
91010	1879	0.08	
91011	1881	0.23	
91012	3/27/1901	0.29	
Total		6.05	

**Instream Reach No. 12:**

From: Immediately below the Tulley-Hill Ditch POD (described in Reach 10 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	0.94	May 1 through July 31
53407	1896	0.06	
53407	1882	1.64	
3192	1889	0.59	
3192	1883	0.01	
82198	1889	0.01	
3012	1883	1.08	
79891	May 1897	0.21	
3182	1883	0.52	
49087	1900	0.35	
91010	1879	0.07	
91011	1881	0.21	
91012	3/27/1901	0.26	
Total		5.95	

To: The authorized POD for Certificate 11899:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	43 E	WM	29	NW SW	1815 FEET NORTH AND 875 FEET EAST FROM THE SW CORNER OF SECTION 29

**Instream Reach No. 13:**

From the authorized POD for Certificate 11899 (described in Reach 12 above):

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	0.94	May 1 through July 31
53407	1896	0.06	
53407	1882	1.64	
3192	1889	0.59	
3192	1883	0.01	
82198	1889	0.01	
3012	1883	1.08	
79891	May 1897	0.21	
3182	1883	0.52	
49087	1900	0.35	
91010	1879	0.07	
91011	1881	0.21	
91012	3/27/1901	0.26	
11899	7/12/1937	0.01	
	Total	5.96	

To: The mouth of the Lostine River at RM 0.0 at the Confluence with the Wallowa River (approx. RM 26), located within the NWSE of Sec. 19, T1N, R43E, W.M.

**WALLOWA RIVER, tributary to Grande Ronde River**

**Instream Reach No. 14:**

From the mouth of the Lostine River (described in Reach 13 above) into the Wallowa River:

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	0.62	May 1 through July 31
53407	1896	0.04	
53407	1882	1.09	
3192	1889	0.39	
3012	1883	0.72	
79891	May 1897	0.14	
3182	1883	0.35	
49087	1900	0.23	
91010	1879	0.05	
91011	1881	0.14	
91012	3/27/1901	0.17	
	Total	3.94	

To: The NWNW of Sec. 19, T1N, R43E, W.M. (approx. RM 26) at Latitude 45.55639, Longitude -117.48803

**Instream Reach No. 15:**

From: The location in the Wallowa River in the NWNW of Sec. 19, T1N, R43E, W.M. at Latitude 45.55639, Longitude -117.48803

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	0.42	May 1 through July 31
53407	1896	0.03	
53407	1882	0.73	
3192	1889	0.26	
3012	1883	0.48	
79891	May 1897	0.09	
3182	1883	0.23	
49087	1900	0.16	
91010	1879	0.03	
91011	1881	0.09	
91012	3/27/1901	0.12	
	Total	2.64	

To: The location in the SESE of Sec. 11, T1N, R42E, WM (approx. RM 23.75) at Latitude 45.57406, Longitude -117.52571

**Instream Reach No. 16:**

From a location in the SESE of Sec. 11, T1N, R42E, WM (approx. RM 23.75) at Latitude 45.57406, Longitude -117.52571

Originating Certificate	Priority	Instream Rate (CFS)	Period Protected
81644	3/27/1901	0.31	May 1 through July 31
53407	1896	0.02	
53407	1882	0.55	
3192	1889	0.20	
3012	1883	0.36	
79891	May 1897	0.07	
3182	1883	0.17	
49087	1900	0.12	
91010	1879	0.02	
91011	1881	0.07	
91012	3/27/1901	0.09	
	Total	1.98	

To: The mouth of the Wallowa River at the confluence of the Grande Ronde River (approx. RM 100), located within the SWNW of Sec. 23, T3N, R40E, W.M.

Within the specified stream reaches, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original points 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.

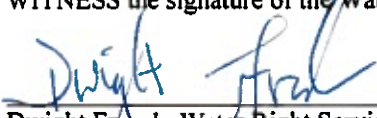
The instream right established by this Allocation of Conserved Water shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right.

The right is subject to all other terms and conditions of Certificates 3012, 3182, 3192, 11899, 49087, 53407, 79891, 81644, 82198, 91010, 91011, and 91012, and any related decree.



This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 107, Page 311, approving conserved water application CW-95.

WITNESS the signature of the Water Resources Director, affixed January 8, 2018.

  
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Dwight French, Water Right Services Administrator, for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department



