

STATE OF OREGON

COUNTIES OF CROOK, DESCHUTES, AND JEFFERSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

U.S. BUREAU OF RECLAMATION  
1917 MARSH RD  
YAKIMA WA 98901

confirms the right to the use of water perfected under the terms of Permit S-55091. 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 of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-88402

SOURCE OF WATER: PRINEVILLE RESERVOIR, CONSTRUCTED UNDER PERMIT R-2223, A TRIBUTARY OF CROOKED RIVER

PURPOSE OR USE: FLOW AUGMENTATION FOR WILDLIFE AND FISH LIFE; AND TO ESTABLISH MITIGATION CREDITS UNDER THE DESCHUTES GROUND WATER MITIGATION PROGRAM FOR THE CITY OF PRINEVILLE

MAXIMUM VOLUME: 5100.0 ACRE-FEET EACH YEAR

PERIOD OF USE: OCTOBER 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MARCH 10, 2017

POINT OF DIVERSION LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	16 E	WM	11	SW NW	BOWMAN DAM - 2350 FEET SOUTH AND 650 FEET EAST FROM NW CORNER, SECTION 11

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IN THE CROOKED RIVER, FROM BOWMAN DAM DOWNSTREAM TO LAKE BILLY CHINOOK

**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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Measurement Devices, and Recording/Reporting of Annual Water Conditions:

- A. The water user shall maintain, in good working order, a suitable measuring device at each point of diversion.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The water user shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes water-use measurements to the Department annually, or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

Mitigation Credit Conditions:

- 1. Issuance of this right awards 5100.0 mitigation credits to mitigation-credit project MP-222; the credits are assigned to the City of Prineville. These mitigation credits may be used to satisfy a mitigation obligation of a groundwater permit or certificate held by the City of Prineville in the General and/or Crooked River Zones of Impact.
- 2. The 5100.0 mitigation credits awarded under MP-222 may be used only by the City of Prineville, and cannot be conveyed to any other person or mitigation bank.
- 3. By January 1 of each calendar year, the U.S. Bureau of Reclamation (BOR) must provide notice to OWRD of how much water will be released from storage under this right during the following year. In the event that an annual volume of less than 5100.0 AF will be released for mitigation use by the City of Prineville under this right, the number of mitigation credits available that year will be reduced proportionally. The Department and BOR may jointly agree to an alternate forecasting schedule.
- 4. The BOR shall, in writing, notify the watermaster of the dates and volumes that water will be released from storage under this water right.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

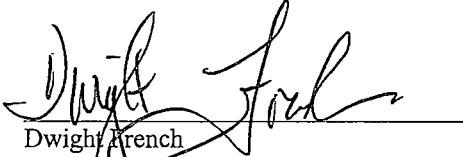
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued NOV 28 2018



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

