

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of the Crooked 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 perfected under Permit S-17167. The date of priority is July 23, 1946. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed:

Reach	Instream Rate	Instream Period
Reach #1	0.02 Cubic Foot per Second (CFS)	May 8 through October 15
Reach #2	0.01 CFS	

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

Reach No. 1: At the location of the diversion authorized previously under Certificate 87331, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	22	NE NE	DIRECT DIVERSION NO. 47A - 1300 FEET SOUTH FROM THE NE CORNER OF SECTION 22

Reach No. 2: From immediately below the previously authorized diversion to Lake Billy Chinook.

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.

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.

The right is subject to all other terms and conditions of Certificate 87331, 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 113, Page 734, approving Transfer T-11347, and supersedes Certificate 87331, State Record of Water Right Certificates.

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.

Mitigation Credit Award

Mitigation Project: MP-162
Mitigation Credits Awarded: 28.8, being 3.1 from Certificate 94476 and 25.7 from Certificate 94475
Zone of Impact: These mitigation credits may be used to satisfy a mitigation obligation within the Crooked River and General Zones of Impact

Each mitigation credit equals 1.0 AF of mitigation water, as determined by the Department.

Certificate 94476, together with Certificate 94475, is Mitigation Project MP-162.

The number of mitigation credits awarded is a portion of the total volume transferred instream, up to 64.0 AF, being 6.8 AF from Certificate 94476 and 57.2 AF from Certificate 94475. The remaining balance of water dedicated to instream use, and not used to satisfy the mitigation obligation of a ground water permit (and subsequent certificate(s)), will benefit instream flows.

The mitigation credits or mitigation water established by this instream water right may be used to satisfy a mitigation obligation of a ground water permit application(s) and/or a ground water permit(s)/ certificate(s) within the Deschutes Ground Water Study Area pursuant to the Deschutes Ground Water Mitigation Rules.

Mitigation credits are valid until used to satisfy a mitigation obligation of a ground water permit applicant and/or ground water permit/certificate holder.

WITNESS the signature of the Water Resources Director, affixed _____

JUL 26 2019



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department