

STATE OF OREGON
COUNTY OF DESCHUTES AND KLAMATH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of the Little Deschutes River, tributary to the Deschutes 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 confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem in the Order Record of the Water Resources Director, in Volume 16, at Page 185. The date of priority is 1897 and April 30, 1902. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed:

Reach	Priority Date	Instream Period and Instream Rate	
		July 1 through August 19	August 20 through October 31
Reach #1	1897	0.05 Cubic Foot per Second (CFS)	0.02 CFS
	April 30, 1902	7.04 CFS	3.52 CFS
	Total	7.09 CFS	3.54 CFS
Reach #2	1897	0.02 CFS	0.02 CFS
	April 30, 1902	2.18 CFS	2.18 CFS
	Total	2.2 CFS	2.2 CFS
Reach #3	1897	0.01 CFS	0.01 CFS
	April 30, 1902	2.03 CFS	2.03 CFS
	Total	2.04 CFS	2.04 CFS

or its equivalent in case of rotation, measured at the point of diversion, during the specified instream period.

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

Reach #1: From the location of the diversion authorized previously under Certificate 83653, located approximately at:

Township		Range		Meridian		Sec	¼ ¼	Measured Distance
23	S	9	E	W.M.	34	SW SW	550 FEET NORTH AND 1150 FEET EAST FROM THE SW CORNER OF SECTION 34	

To the Little Deschutes River gage near LaPine, located approximately at River Mile 27

Reach #2: From the Little Deschutes gage near LaPine (approximately River Mile 27) to the mouth of the Little Deschutes River

Reach #3: From the confluence of the Little Deschutes River and the Deschutes River to Lake Billy Chinook (River Mile 120)

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-120
Mitigation Credits Awarded: 510.3
Zone of Impact: These mitigation credits may be used to satisfy a mitigation obligation within the Little Deschutes, Upper Deschutes, Middle Deschutes and General Zones of Impact

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

The number of mitigation credits awarded is a portion of the total volume transferred instream, being 1131.33 AF. 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 valid until used to satisfy a mitigation obligation of a ground water permit applicant and/or ground water permit/certificate holder.

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, unless otherwise specified by a subsequent order establishing a new instream water right.

The right to the use of the water for the above purpose is restricted to beneficial use in the place of use described and is subject to all other terms and conditions of Certificate 83653, and any related decree.

Certificate 86020 was issued to confirm a change in character of use and place of use approved by an order of the Water Resources Director recorded in Special Order Volume 80, Pages 67-77, approving Transfer T-10623 and, together with Certificates 86021 and 86022, supersedes Certificate 83653, State Record of Water Right Certificates.

This certificate is issued to confirm the change of mitigation water to mitigation credits approved by an order of the Water Resources Director recorded in Special Order Volume 116, Pages 848 - 851, and supersedes Certificate 86020, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed JUN 04 2020.



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