

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of DEAD INDIAN CREEK, a tributary of SO. FORK LITTLE BUTTE CREEK, 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 JACKSON County. The dates of priority are 1858 and 1888. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 2.41 CUBIC FOOT PER SECOND (CFS), being 1.23 CFS under 1858 priority and 1.18 CFS under 1888 priority, from May 1 through September 30.

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

From the location of the diversions previously authorized under Certificate 17204, located approximately at:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	3 E	WM	15	NE SE	42 DEGREES 14 SECONDS 52.70 FEET NORTH AND 122 DEGREES 27 MINUTES 48.98 FEET WEST
38 S	3 E	WM	15	NE SE	42 DEGREES 14 MINUTES 50.68 FEET NORTH AND 122 DEGREES 28 MINUTES 03.97 FEET WEST

Instream Point: At the authorized points of diversion

Priority Date	Instream Rate (CFS)	Instream Volume (AF)	Period Protected Instream
1858	1.23	373.27	May 1 through September 30
1888	1.18	358.10	
Total	2.41	731.37	

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

Instream Reach: Immediately below the PODs to the mouth of South Fork Little Butte Creek

Priority Date	Instream Rate (CFS)	Instream Volume (AF)	Period Protected Instream
1858	0.82	249.87	May 15 through September 30
1888	0.80	241.54	
Total	1.62	491.41	

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.

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 is subject to all other terms and conditions of Certificate 17204, 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 117, Page 251, approving Transfer T-13177, and along with Certificate 95222 supersedes Certificate 17204, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2020.



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