

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT
 FOR PARTIAL PERFECTION

THIS CERTIFICATE ISSUED TO

PORT OF UMATILLA
 PO BOX 879
 505 WILLAMETTE ST
 UMATILLA OR 97882

confirms the right to the use of water perfected under the terms of Permit S-49497. 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-58245

SOURCE OF WATER: COLUMBIA RIVER, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE: 39.3 CUBIC FEET PER SECOND (CFS)

DATE OF PRIORITY: JANUARY 19, 1979

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|------|-----|-----|-------|--|
| 5 N | 28 E | WM | 10 | NE SE | 1970 FEET NORTH AND 280 FEET WEST FROM SE CORNER, SECTION 10 |

A description of the place of use is as follows:

| Twp | Rng | Mer | Sec | Q-Q |
|-----|------|-----|-----|-------|
| 4 N | 28 E | WM | 2 | NW NE |
| 4 N | 28 E | WM | 2 | SW NE |
| 4 N | 28 E | WM | 2 | NW NW |
| 4 N | 28 E | WM | 2 | SW NW |
| 4 N | 28 E | WM | 2 | SE NW |
| 4 N | 28 E | WM | 2 | NE SW |
| 4 N | 28 E | WM | 2 | NW SW |
| 4 N | 28 E | WM | 2 | SW SW |
| 4 N | 28 E | WM | 2 | SE SW |

| Twp | Rng | Mer | Sec | Q-Q |
|-----|------|-----|-----|-------|
| 4 N | 28 E | WM | 2 | NW SE |
| 4 N | 28 E | WM | 2 | SW SE |
| 4 N | 28 E | WM | 3 | NE NE |
| 4 N | 28 E | WM | 3 | NW NE |
| 4 N | 28 E | WM | 3 | SW NE |
| 4 N | 28 E | WM | 3 | SE NE |
| 4 N | 28 E | WM | 3 | NW SW |
| 4 N | 28 E | WM | 3 | SW SW |
| 4 N | 28 E | WM | 3 | SE SW |

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.

| Twp | Rng | Mer | Sec | Q-Q |
|-----|------|-----|-----|-------|
| 4 N | 28 E | WM | 3 | NE SE |
| 4 N | 28 E | WM | 3 | NW SE |
| 4 N | 28 E | WM | 3 | SW SE |
| 4 N | 28 E | WM | 3 | SE SE |
| 4 N | 28 E | WM | 4 | NE NE |
| 4 N | 28 E | WM | 4 | SE NE |
| 4 N | 28 E | WM | 4 | NE SE |
| 4 N | 28 E | WM | 4 | SE SE |
| 4 N | 28 E | WM | 8 | SE SE |
| 4 N | 28 E | WM | 9 | NE NE |
| 4 N | 28 E | WM | 9 | SW NE |
| 4 N | 28 E | WM | 9 | SE NE |
| 4 N | 28 E | WM | 9 | NE SE |
| 4 N | 28 E | WM | 9 | NW SE |
| 4 N | 28 E | WM | 9 | SW SE |
| 4 N | 28 E | WM | 9 | SE SE |
| 4 N | 28 E | WM | 10 | ALL |
| 4 N | 28 E | WM | 11 | NW NE |
| 4 N | 28 E | WM | 11 | SW NE |
| 4 N | 28 E | WM | 11 | SE NE |
| 4 N | 28 E | WM | 11 | NE NW |
| 4 N | 28 E | WM | 11 | NW NW |
| 4 N | 28 E | WM | 11 | SW NW |
| 4 N | 28 E | WM | 11 | SE NW |
| 4 N | 28 E | WM | 11 | NE SW |
| 4 N | 28 E | WM | 11 | NW SW |
| 4 N | 28 E | WM | 11 | SW SW |
| 4 N | 28 E | WM | 11 | SE SW |
| 4 N | 28 E | WM | 11 | NE SE |
| 4 N | 28 E | WM | 11 | NW SE |
| 4 N | 28 E | WM | 11 | SW SE |
| 4 N | 28 E | WM | 11 | SE SE |
| 4 N | 28 E | WM | 12 | NW NW |
| 4 N | 28 E | WM | 12 | SW NW |
| 4 N | 28 E | WM | 12 | SE NW |
| 4 N | 28 E | WM | 12 | NE SW |
| 4 N | 28 E | WM | 12 | NW SW |
| 4 N | 28 E | WM | 13 | NE NE |
| 4 N | 28 E | WM | 13 | NW NE |
| 4 N | 28 E | WM | 13 | SW NE |
| 4 N | 28 E | WM | 13 | SE NE |
| 4 N | 28 E | WM | 13 | NE NW |
| 4 N | 28 E | WM | 13 | SW NW |
| 4 N | 28 E | WM | 13 | SE NW |
| 4 N | 28 E | WM | 13 | NE SW |
| 4 N | 28 E | WM | 13 | NW SW |
| 4 N | 28 E | WM | 13 | SW SW |
| 4 N | 28 E | WM | 13 | SE SW |
| 4 N | 28 E | WM | 13 | NE SE |
| 4 N | 28 E | WM | 13 | NW SE |
| 4 N | 28 E | WM | 13 | SW SE |
| 4 N | 28 E | WM | 13 | SE SE |

| Twp | Rng | Mer | Sec | Q-Q |
|-----|------|-----|-----|-------|
| 4 N | 28 E | WM | 14 | NE NE |
| 4 N | 28 E | WM | 14 | NW NE |
| 4 N | 28 E | WM | 14 | SW NE |
| 4 N | 28 E | WM | 14 | SE NE |
| 4 N | 28 E | WM | 14 | NE NW |
| 4 N | 28 E | WM | 14 | NW NW |
| 4 N | 28 E | WM | 14 | SW NW |
| 4 N | 28 E | WM | 14 | SE NW |
| 4 N | 28 E | WM | 14 | NE SE |
| 4 N | 28 E | WM | 14 | SE SE |
| 4 N | 28 E | WM | 15 | NE NE |
| 4 N | 28 E | WM | 15 | NW NE |
| 4 N | 28 E | WM | 15 | SW NE |
| 4 N | 28 E | WM | 15 | SE NE |
| 4 N | 28 E | WM | 15 | NE NW |
| 4 N | 28 E | WM | 15 | NW NW |
| 4 N | 28 E | WM | 15 | SW NW |
| 4 N | 28 E | WM | 15 | SE NW |
| 4 N | 28 E | WM | 15 | NE SW |
| 4 N | 28 E | WM | 15 | NW SW |
| 4 N | 28 E | WM | 16 | NE NE |
| 4 N | 28 E | WM | 16 | NW NE |
| 4 N | 28 E | WM | 16 | SW NE |
| 4 N | 28 E | WM | 16 | SE NE |
| 4 N | 28 E | WM | 16 | NE NW |
| 4 N | 28 E | WM | 16 | NW NW |
| 4 N | 28 E | WM | 16 | SE NW |
| 4 N | 28 E | WM | 21 | SW SE |
| 4 N | 28 E | WM | 22 | NE NE |
| 4 N | 28 E | WM | 22 | NW NE |
| 4 N | 28 E | WM | 22 | SW NE |
| 4 N | 28 E | WM | 22 | SE NE |
| 4 N | 28 E | WM | 23 | NW NE |
| 4 N | 28 E | WM | 23 | SW NE |
| 4 N | 28 E | WM | 23 | NE NW |
| 4 N | 28 E | WM | 23 | SE NW |
| 4 N | 28 E | WM | 24 | NE NW |
| 4 N | 28 E | WM | 24 | NW NW |
| 4 N | 28 E | WM | 24 | SW NW |
| 4 N | 28 E | WM | 24 | SE NW |
| 4 N | 28 E | WM | 24 | NE SW |
| 4 N | 28 E | WM | 24 | NW SW |
| 4 N | 28 E | WM | 24 | SW SW |
| 4 N | 28 E | WM | 24 | SE SW |
| 4 N | 28 E | WM | 27 | NE SW |
| 4 N | 28 E | WM | 27 | NW SW |
| 4 N | 28 E | WM | 27 | SW SW |
| 4 N | 28 E | WM | 27 | SE SW |
| 4 N | 28 E | WM | 27 | NW SE |
| 4 N | 28 E | WM | 27 | SW SE |
| 4 N | 28 E | WM | 28 | SW NE |
| 4 N | 28 E | WM | 28 | NE SE |

| Twp | Rng | Mer | Sec | Q-Q |
|-----|------|-----|-----|-------|
| 4 N | 28 E | WM | 28 | SE SE |
| 4 N | 28 E | WM | 30 | NE NW |
| 4 N | 28 E | WM | 30 | NW NW |

| Twp | Rng | Mer | Sec | Q-Q |
|-----|------|-----|-----|-------|
| 4 N | 28 E | WM | 30 | SW NW |
| 4 N | 28 E | WM | 30 | SE NW |

The 155.0 cfs of water authorized under Permit S-49497 has been incrementally perfected under Certificates 96357, 96358, 96359, and 96360. Certificate 96357 authorizes the use of up to 39.3 cfs of water, being 18.54 cfs of water not subject to the conditions to maintain the persistence of listed fish species, and 20.76 cfs of water subject to the conditions to maintain the persistence of listed fish species. The full rate of water authorized for use under Certificates 96358, 96359, and 96360, is subject to the conditions to maintain the persistence of listed fish species as established by the Final Order for Extension of Time for Permit S-49497 issued August 24, 2012. These conditions will apply to any future superseding certificates related to Permit S-49497.

The maximum combined curtailment required under the conditions to maintain the persistence of listed fish species cannot exceed 20% of the combined rate subject to the conditions, being 27.29 cfs. Therefore, the 20.76 cfs under Certificate 96357, the 39.3 cfs under Certificate 96358, the 39.8 cfs under Certificate 96359, and 9.31 cfs under Certificate 96360 will never be curtailed as the result of this fish persistence condition.

The right granted herein is limited to the amount which can be applied to beneficial use and shall not exceed 39.3 CFS measured at the point of diversion, or its equivalent in case of rotation with other water users, from the Columbia River.

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 right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued to clarify the conditions required to maintain the persistence of listed fish by an order of the Water Resources Director entered September ____, 2022 at Special Order Volume 125, Page 625-628 and supersedes certificate 91589.

This certificate was issued for a partial perfection of Permit S-49497 as described in OAR 690-320-0040 and by an order of the Water Resources Director entered June 20, 2016 at Special Order Volume 101, Page 180.

SEP 30 2022

Issued _____



Dwight French
 Water Right Services Division Administrator, for
 Douglas E. Woodcock, Acting Director
 Oregon Water Resources Department