

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
WATER RESOURCES DEPARTMENT

confirms the right to use the waters of the TUMALO CREEK, tributary of the DESCHUTES RIVER, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, other ecological values, and pollution abatement.

This right was confirmed by decrees of the Circuit Court of the State of Oregon for Deschutes County. The decrees are of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 135, and in Volume 16, at page 188. The dates of priority are AUGUST 5, 1900, SEPTEMBER 1900, APRIL 28, 1905, MAY 27, 1907, and JUNE 1, 1907.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed the rate and volume as follows:

Priority	Max. Rate (CFS)	Max. Volume (AF)	Season of Use
8/5/1900	0.292	106.57	April 15 through October 15
9/1900	2.049	747.80	
4/28/1905	0.216	78.83	
5/27/1907	0.030	10.95	
6/1/1907	0.712	259.85	
Totals	3.299	1,204.00	

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

From the location of the diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	11 E	WM	23	SW NE	TUMALO FEED CANAL: NORTH 70 DEGREES 21 MINUTES WEST, 1550 FEET FROM THE EAST 1/4 CORNER OF SECTION 23

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.

To the mouth at River Mile 0.0, located at the confluence with the Deschutes River (approximately RM 160.5), then into the Deschutes River to Lake Billy Chinook at approximately RM 120.0.

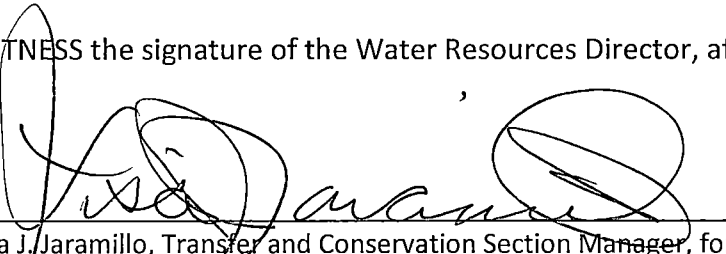
Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original point of diversion. Stream channel losses and gains calculated based on available data and the use of water by senior appropriators will determine the amount of water to which this right is entitled downstream from the original point of diversion within the specified stream reach.

The instream right established by this allocation of conserved water 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 95175 and any related decree.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 129, Page 222, approving Conserved Water Application CW-116.

WITNESS the signature of the Water Resources Director, affixed OCT 19 2023.

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', is written over a horizontal line. The signature is fluid and cursive.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
OREGON WATER RESOURCES DEPARTMENT