

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 CRESCENT LAKE RESERVOIR (CONSTRUCTED UNDER PERMIT R-102), tributary of the CRESCENT CREEK, 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 perfected under Permit S-624. The date of priority is APRIL 7, 1911. The use is limited to 1,425.55 ACRE-FEET OF STORED WATER ONLY as follows:

Priority Date	Season	Period of Use	Volume (AF)
April 7, 1911	1	April 1 through April 30 and October 1 through October 31	123.60
	2	May 1 through May 14 and September 15 through September 30	82.40
	3	May 15 through September 14	1,219.55
Total Annual Volume			1,425.55

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

From the authorized points of diversion for TID at the Crescent Lake Reservoir on Crescent Creek from January 1 through December 31:

Twp	Rng	Mer	Sec	Q-Q
24 S	6 E	WM	11	SE SW
24 S	6 E	WM	11	SW SE

To the mouth of Crescent Creek at the confluence with the Little Deschutes River (approximately RM 55.0), then into the Little Deschutes River to the mouth at the confluence with the Deschutes River (approximately RM 192.5), and then into the Deschutes River to Lake Billy Chinook at approximately RM 120.0.

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.

The volume to be protected throughout the year, including any volume to be released outside the irrigation season, will be determined by the local Watermaster to ensure the seasonal and annual volumes are not exceeded.

To account for channel losses, an 18 percent loss factor shall be used between the Crescent Creek Gauging Station No. 14060000 and the Benham Falls Gauging Station No. 14064500 on the Deschutes River. A 7 percent loss factor shall be used on the Deschutes River between Benham Falls and the City of Bend. For example, if 9.18 cfs was protected under this right at Crescent Creek Gauging Station No. 14064500, then the 7.53 cfs would be protected at Benham Falls and 7.00 cfs would be protected at Bend.

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.

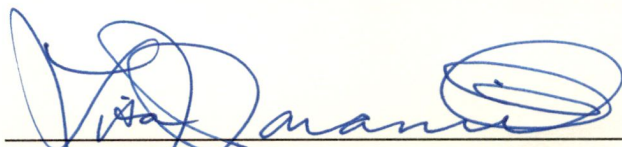
The instream right established by this allocation of conserved water shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346, and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470 unless otherwise specified by a subsequent order establishing a new instream water right.

This instream flow shall be additive to the 5.0 cfs flow release required at Crescent Creek Gauging Station Number 14060000, as specified in the Final Order Approving Allocation of Conserved Water CW-37, recorded at Special Order Volume 67, pp. 509 – 517, at p. 512. Additionally, a memorandum of agreement was approved on June 1, 2021, recorded at Special Order Volume 120, Page 773, and superseded and corrected on August 24, 2022, recorded at Special Order Volume 125, Page 635.

The right is subject to all other terms and conditions of Certificate 95177 and any related decree.

This superseding certificate is issued to correct scrivener's errors in Certificate 96709 and to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director recorded in Special Order Volume 129, Page 222 and correcting order recorded in Special Order Volume 129, Page 905, finalizing Conserved Water Application CW-116 and modifying Certificate 95177.

WITNESS the signature of the Water Resources Director, affixed MAR 6 - 2024.



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