

STATE OF OREGON  
COUNTIES 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 Deschutes River, tributary to the Columbia River, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values; recreation; and pollution abatement.

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 12 at Page 282, and in Volume 16, at Pages 10 and 390. The dates of priority are February 1, 1905 and April 25, 1905.

The location of the diversion authorized previously under Certificate 74197 is located approximately at:

Twp	Rng	Mer	Sec	Q Q	Measured Distances
18 S	11 E	WM	27	NE SW	POD 1 (ARNOLD CANAL): 2800 FEET SOUTH AND 3740 FEET WEST FROM THE NE CORNER OF SECTION 27

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

**Instream Reach:** From Arnold Canal POD No. 1 to the Madras Gage

Certificate	Priority Date	Instream Rate (CFS)			Total Instream Volume	Instream Period
		Season 1	Season 2	Season 3		
74197	February 1, 1905	0.730	0.730	0.730	1875.94	April 1 – Oct 31
	April 25, 1905	1.703	2.433	5.005		
<b>Totals</b>		<b>2.433</b>	<b>3.163</b>	<b>5.735</b>		

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.

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.

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-312  
Mitigation Credits Awarded: 961.96  
Zone of Impact: These mitigation credits may be used to satisfy a mitigation obligation within the General and Middle Deschutes Zone of Impact.

The number of mitigation credits awarded is a portion of the total volume transferred instream, being up to 1875.94 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 are valid until used to satisfy a mitigation obligation of a ground water permit applicant and/or ground water permit/certificate holder.

The right is subject to all other terms and conditions of Certificate 74197, 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 133, Page 315, approving Instream Transfer T-14347, and supersedes a portion of Certificate 74197, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed NOV 8 - 2024.



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Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department