

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE IS HEREBY ISSUED TO

OREGON WATER RESOURCES DEPARTMENT
725 SUMMER ST NE SUITE A
SALEM OR 97301

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: IS-72168

SOURCE OF WATER: BURNT RIVER, TRIBUTARY TO SNAKE RIVER

PURPOSE: MIGRATION, SPAWNING, EGG INCUBATION, FRY EMERGENCE, AND JUVENILE REARING OF
RAINBOW TROUT

DATE OF PRIORITY: JANUARY 29, 1992

TO BE MAINTAINED IN: **REACH 1** - BURNT RIVER FROM FORMER USGS GAGE 13274200 AT
APPROXIMATELY RIVER MILE 41.7 (NWNW, SECTION 10, TOWNSHIP 12S, RANGE
41E, WM) TO OWRD GAGE 13274400 AT BURNT RIVER ABOVE BANKS
DIVERSION NEAR DURKEE, APPROXIMATELY RIVER MILE 31.3 (NESW, SECTION
26, TOWNSHIP 11S, RANGE 42E WM)
REACH 2 – BURNT RIVER FROM CEMENT PLANT BRIDGE AT APPROXIMATELY
RIVER MILE 22.9 (SESW, SECTION 11, TOWNSHIP 12S, RANGE 43E, WM) TO
BROWNLEE RESERVOIR POOL AT APPROXIMATELY RIVER MILE +1.0 (SW ¼,
SECTION 8, TOWNSHIP 14S, RANGE 45E, WM)

The right is established under Oregon Revised Statutes 537.341. The reaches in which water is to be maintained under this right reflect the Settlement and Water Bypass Flow Agreement entered into by the Burnt River Irrigation District and the Oregon Department of Fish and Wildlife on January 21, 2025 (Settlement Agreement). The Settlement Agreement is not incorporated into this certificate by reference and is not an “existing water right of record” as that term is defined and used in ORS 540.045 or a “relative entitlement to water” as that term is used in ORS 540.045. All terms and conditions of this right are set forth in this certificate.

The following conditions apply to the use of water under this certificate:

1. The right is limited to not more than the amounts, in cubic feet per second, during the time periods listed below:

Month	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1 st ½	25.0	25.0	50.0	50.0	50.0	50.0	25.0	25.0	25.0	25.0	25.0	25.0
2 nd ½	25.0	40.0	50.0	50.0	50.0	40.0	25.0	25.0	25.0	25.0	25.0	25.0

2. The water right holder shall measure and report the in-stream flow along the reaches of the stream or river described in the certificate as may be required by the standards for in-stream water right reporting of the Water Resources Commission.
3. For purposes of water distribution, this instream right shall not have priority over human or livestock consumption.
4. The instream flow allocated pursuant to this water right is not in addition to other instream flows created by a prior water right or designated minimum perennial stream flow.
5. The flows are to be measured at the lower end of reach 2 to protect necessary flows throughout reach 1 and reach 2.

ISSUED JUNE 27, 2025

Katherine Ratcliffe
Katherine Ratcliffe, Administrator
Water Right Services Division
for Ivan Gall, Director
Oregon Water Resources Department

