

BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the Matter of Water Right Application) **FINAL ORDER**
IS-71174 in the Name of the Oregon) **ISSUING CERTIFICATE**
Department of Fish and Wildlife,)
Applicant)

On January 10, 1991, the Oregon Department of Fish and Wildlife submitted an application to the Oregon Water Resources Department ("Department") for an instream water right on North Umpqua River, tributary to the Umpqua River, in Douglas County.

On August 20, 1996, the Department issued its Proposed Final Order recommending approval of application IS-71174 with conditions. On October 3, 1996, Douglas County timely filed a protest to the Proposed Final Order for application IS-71174. On June 21, 2004, Douglas County withdrew its protest to application IS-71174.

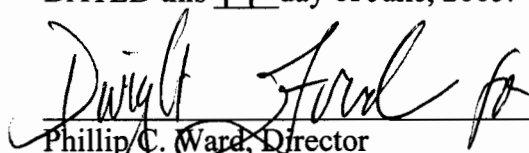
The certificate for application IS-71174 shall include the following condition:

For purposes of water regulation only, instream rights IS-71174 and IS-73350 shall not have priority over the following uses of water with a priority date later than 1990: a combined total between IS-71174 and IS-73350 of up to 4.0 cfs of water for human consumption, domestic, or domestic expanded uses; a combined total between IS-71174 and IS-73350 of up to 1.5 cfs of water for industrial or commercial use; and a combined total between IS-71174 and IS-73350 of up to 1.5 cfs for irrigation or agricultural use. This provision means that up to a total of 7 cfs will be available to holders of water rights that are junior to IS-71174 and IS-73350 when water is used for the purposes stated. This does not mean that each applicant may use up to 7 cfs, or that 7 cfs will be available from each instream water right.

Based on the Settlement Agreement which is incorporated herein, and the conditions specified herein, the proposed use as conditioned, will not impair or be detrimental to the public interest.

Therefore, pursuant to ORS 537.170, application IS-71174 is APPROVED and a certificate shall issue.

DATED this 17 day of June, 2005.


Phillip C. Ward, Director
Oregon Water Resources Department