



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

MAY 10, 2001

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water right established under the terms of a permit issued by this department. The water right is now appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

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 **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

Under ORS 537.260 and 537.270, a water right certificate may be contested before the Water Resources Department within three (3) months of the date it is issued. If a certificate is contested, the contestant shall be offered an administrative hearing.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Steve Brown at (503) 378-8455, extension 263, or toll free (within Oregon) at 1-800-624-3199, ext. 263.

Front Page of Certificate 76914.

M:\groups\wr\forms\certperm
original to certificate holder, copy to file



STATE OF OREGON
COUNTY OF MULTNOMAH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

METRO
SMITH & BYBEE LAKES WILDLIFE AREA
600 NE GRAND AVENUE
PORTLAND, OREGON 97232

confirms the right to use the waters of COLUMBIA SLOUGH AND SMITH AND BYBEE LAKES, tributaries of WILLAMETTE RIVER, for MINIMIZING OR ELIMINATING CONDITIONS WHICH FOSTER AVIAN BOTULISM.

This right was perfected under Permit 45974. The date of priority is SEPTEMBER 8, 1981 - FOR 3692.0 ACRE-FEET (AF) AND SEPTEMBER 24, 1981 - FOR 408.0 AF. This right is limited to 4100.0 AF or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 2, (SW 1/4 NW 1/4), SECTION 31, T 2 N, R 1 E, W.M.; 800 FEET NORTH AND 100 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 31.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 NE 1/4
SE 1/4 NW 1/4
E 1/2 SW 1/4
SE 1/4
SECTION 25

E 1/2 E 1/2
NW 1/4 NE 1/4
SECTION 36
TOWNSHIP 2 NORTH, RANGE 1 WEST, W.M.

S 1/2 SW 1/4
SW 1/4 SE 1/4
SECTION 30

NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NW 1/4
S 1/2
SECTION 31

NW 1/4 NW 1/4
S 1/2 NW 1/4
SW 1/4
SECTION 32
TOWNSHIP 2 NORTH, RANGE 1 EAST, W.M.

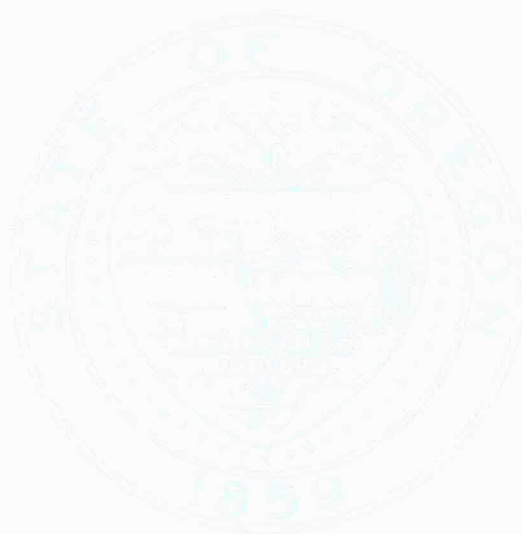
N 1/2 NW 1/4
SECTION 5

N 1/2 NE 1/4
NE 1/4 NW 1/4
SECTION 6
TOWNSHIP 1 NORTH, RANGE 1 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

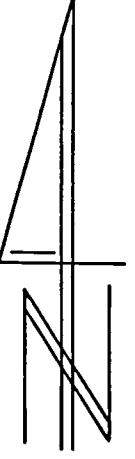
WITNESS the signature of the Water Resources Director, affixed MAY 10, 2001.


Paul R. Cleary

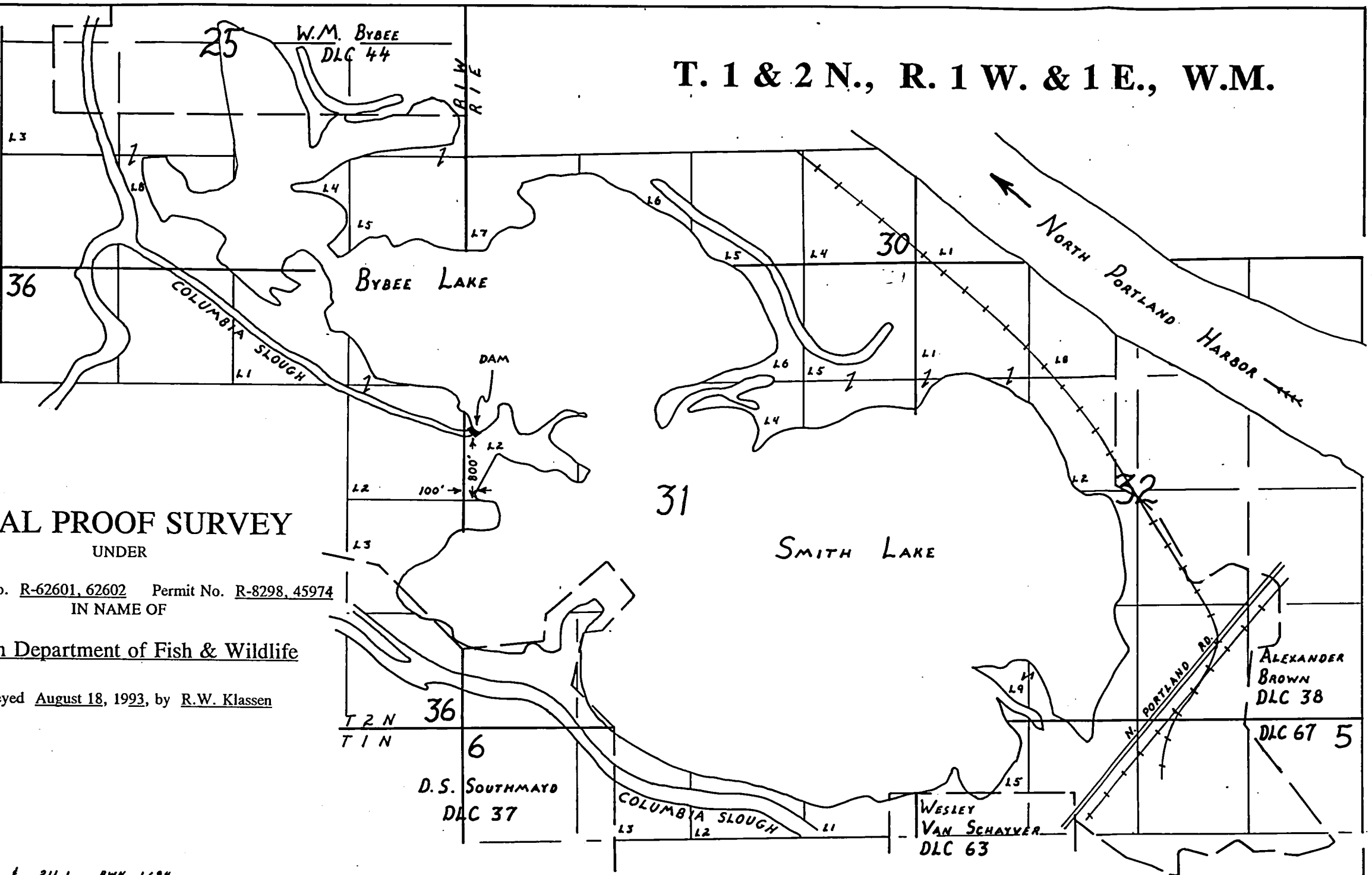


Recorded in State Record of Water Right Certificates numbered 76914.

T. 1 & 2 N., R. 1 W. & 1 E., W.M.



1"=1320'



FINAL PROOF SURVEY
UNDER

Application No. R-62601, 62602 Permit No. R-8298, 45974
IN NAME OF

Oregon Department of Fish & Wildlife

Surveyed August 18, 1993, by R.W. Klassen

T 2 N
T 1 N
36
6
D.S. SOUTHMAID
DLC 37

WESLEY
VAN SCHAYVER
DLC 63

ALEXANDER
BROWN
DLC 38
DLC 67 5