

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TUMALO TOWN DISTRICT IMPROVEMENT COMPANY
19806 2ND STREET
BEND, OREGON 97701

confirms the right to use the waters of SEEPAGE FROM TUMALO CREEK, a tributary of THE DESCHUTES RIVER AND THE DESCHUTES RIVER, a tributary of THE COLUMBIA RIVER, for IRRIGATION OF 13.7 ACRES AND DOMESTIC USE.

This right was perfected under Permit 13245. The date of priority is AUGUST 25, 1938. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.3425 CUBIC FOOT PER SECOND FOR IRRIGATION AND 0.5382 CFS FOR DOMESTIC USE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

Diversion #1 - NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 17 S, R 12 E, W.M.; 2230 FEET SOUTH AND 1650 FEET WEST FROM THE SE CORNER OF SECTION 6.

Diversion #2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 31, T 16 S, R 12 E, W.M.; 1860 FEET SOUTH AND 1105 FEET WEST FROM THE NE CORNER OF SECTION 31.

Pump Diversion #1 - NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 31, T 16 S, R 12 E, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated from April 1 to May 22, ONE-FORTIETH of one cubic foot per second or its equivalent for each acre irrigated from May 23 to August 20 of each year, and ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated after August 20 of each year and shall be further limited to a diversion of not to exceed 4.0 ACRE-FEET for each acre irrigated during the irrigation season of each year from April 1 to November 1.

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:

The following parcels are irrigated from Diversion #1:

<u>QTR/QTR</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Owner</u>
NW $\frac{1}{4}$ NE $\frac{1}{4}$	1000	0.696	Millard, Jim
NW $\frac{1}{4}$ NE $\frac{1}{4}$	1602	0.348	Bend, City of Tumalo Fire Station

<u>QTR/QTR</u>	<u>Tax lot</u>	<u>Acres</u>	<u>Owner</u>
NW¼ NE¼	1700	0.290	Scott, Steve
NW¼ NE¼	1800	0.406	Kelley, Patrick
NW¼ NE¼	1900	0.116	Turney, Leon
NW¼ NE¼	2000	0.928	Peters, Belle
NW¼ NE¼	2300	0.219	Hoover, Lorraine
NW¼ NE¼	2400	0.116	Linville, Agnes
NW¼ NE¼	2401	0.116	Linville, Wayne
NW¼ NE¼	2500	0.174	Miller, Darlene
NW¼ NE¼	2700	0.522	McCallister, Larry
NW¼ NE¼	3400	0.926	Tumalo Irrigation District
NW¼ NE¼	3401	0.290	Davidson, Ernest
NW¼ NE¼	3402	0.406	Clark, Deanna
NW¼ NE¼	3600	0.348	Mathews, Nena
NW¼ NE¼	3601	0.348	Wallace, Jerry
SW¼ NE¼	4000	0.253	Tumalo Church
SW¼ NE¼	4300	0.058	Morgan & Young Timber Co.
SW¼ NE¼	4600	0.348	Perkins, Goldie
SW¼ NE¼	4701	0.754	Tumalo Irrigation District
SW¼ NE¼	4800	0.174	Knox, David
SW¼ NE¼	6200	0.464	Westover, Fred

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Township 16 South, Range 12 East, W.M.

The following parcels are irrigated from Diversion #2:

SE¼ NE¼	6600	0.500	Kelley, Pat
SE¼ NE¼	6800	0.500	Kelley, Pat

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Township 16 South, Range 12 East, W.M.

The following parcels comprising 4.4 acres and included on Certificate 20784, were not affected by the petition but are included for clarity in record keeping. These parcels are served by pump diversion #1.

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<u>PARCEL</u>	<u>OWNER</u>
NW¼ NE¼ BLOCK 3, LOTS 2,3,5&6	VIDA ANDREWS
NW¼ NE¼ BLOCK 4, LOTS 1,2,11&12	TOM MORGAN
NW¼ NE¼ BLOCK 4, LOTS 3 THROUGH 9	J.A. CHAMBERLAIN
NW¼ NE¼ BLOCK 7, LOTS 1 THROUGH 24	SCHOOL DISTRICT #3
NW¼ NE¼ BLOCK 8, LOTS 1 THROUGH 24	SCHOOL DISTRICT #3

ALL IN THE ORIGINAL TOWN OF LAIDLAW, OREGON

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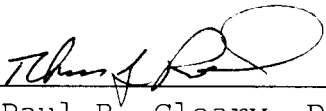
Township 16 South, Range 12 East, W.M.

This certificate describes that portion of the water right confirmed by Certificate 76464, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 18 2000, approving Transfer Application 7078.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 ~~_____~~ SEP 18 2000 _____.



For Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 76619.