

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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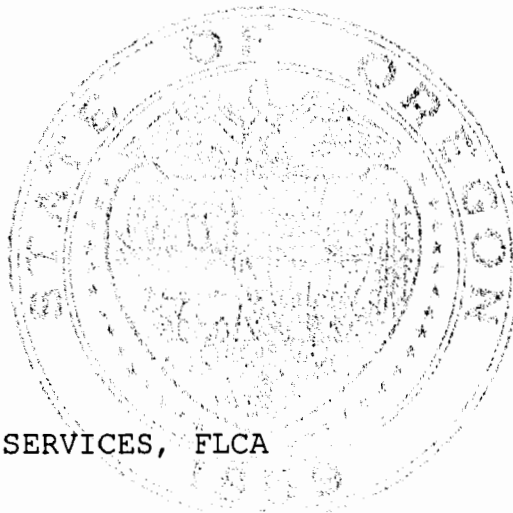
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SUPERSEDED BY
CERT. NO. 91679

Cancelled due to
T-10576, T-10515 Sp. Or.
Vol. 69 P. 44

SUPERSEDED BY
CERT. NO. 88649

Superseded by
Cert. No. 82029

confirms the right to use the waters of six wells in the Deschutes River Basin for IRRIGATION of 412.7 acres.

This right was perfected under the terms of Permit G-12705. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

MAXIMUM RATE ALLOWED: 5.16 CUBIC FEET PER SECOND (CFS), BEING 0.06 CFS FROM WELL 1, 0.59 CFS FROM WELL 2, 1.17 CFS FROM WELL 4, 0.82 CFS FROM WELL 5, 1.28 CFS FROM WELL 6, AND 1.24 CFS FROM WELL 7.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

PERIOD OF USE: APRIL 1 TO NOVEMBER 1

DATE OF PRIORITY: AUGUST 31, 1992

LOT 1, ANGEL

THE POINT OF APPROPRIATION IS LOCATED AS FOLLOWS:

WELL #1: NW 1/4 SW 1/4 SECTION 4, T16S, R11E, W.M., 1210 FEET SOUTH AND 910 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 4.

THE PLACE OF USE IS LOCATED AS FOLLOWS: (5.0 ACRES)

NE 1/4 SW 1/4 0.8 ACRE
NW 1/4 SW 1/4 4.2 ACRES
SECTION 4

TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

LOT 2, KACZMAREK

THE POINT OF APPROPRIATION IS LOCATED AS FOLLOWS:

WELL #2: SW 1/4 SW 1/4 SECTION 4, T16S, R11E, W.M., 1390 FEET SOUTH AND 1020 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 4.

THE PLACE OF USE IS LOCATED AS FOLLOWS: (47.1 ACRES)

NE 1/4 SW 1/4 21.2 ACRES
NW 1/4 SW 1/4 1.1 ACRES
SW 1/4 SW 1/4 1.8 ACRES
SE 1/4 SW 1/4 11.4 ACRES
NW 1/4 SE 1/4 11.6 ACRES
SECTION 4

TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

LOT 3 & 4, THOMAS & STEINFELD

THE POINT OF APPROPRIATION IS LOCATED AS FOLLOWS:

WELL #4: NW 1/4 NE 1/4 SECTION 9, T16S, R11E, W.M., 120 FEET SOUTH
AND 300 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 9.

THE PLACE OF USE IS LOCATED AS FOLLOWS: (93.2 ACRES)

NE 1/4 SW 1/4 0.4 ACRE
SE 1/4 SW 1/4 21.3 ACRES
NW 1/4 SE 1/4 2.1 ACRES
SW 1/4 SE 1/4 31.4 ACRES
SE 1/4 SE 1/4 1.9 ACRES
SECTION 4

NE 1/4 NE 1/4 1.8 ACRES
NW 1/4 NE 1/4 30.2 ACRES
NE 1/4 NW 1/4 4.1 ACRES
SECTION 9

TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

LOT 5, FREUND

THE POINT OF APPROPRIATION IS LOCATED AS FOLLOWS:

WELL #5: SE 1/4 SE 1/4 SECTION 4, T16S, R11E, W.M., 30 FEET NORTH
AND 1000 FEET WEST FROM THE SE CORNER OF SECTION 4.

THE PLACE OF USE IS LOCATED AS FOLLOWS: (65.8 ACRES)

SE 1/4 SE 1/4 32.0 ACRES
NE 1/4 SE 1/4 33.8 ACRES
SECTION 4

TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

LOT 6, WIMBERLY & NW FARM CREDIT SERVICES

THE POINT OF APPROPRIATION IS LOCATED AS FOLLOWS:

WELL #6: NE 1/4 NE 1/4 SECTION 9, T16S, R11E, W.M., 120 FEET SOUTH
AND 1130 FEET WEST FROM THE NE CORNER OF SECTION 9.

THE PLACE OF USE IS LOCATED AS FOLLOWS: (102.4 ACRES)

NE 1/4 NE 1/4 37.7 ACRES
SE 1/4 NE 1/4 37.0 ACRES
NE 1/4 SE 1/4 4.0 ACRES
SECTION 9

NW 1/4 NW 1/4 19.6 ACRES
SW 1/4 NW 1/4 4.1 ACRES
SECTION 10

TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

LOT 7, DENSE

THE POINT OF APPROPRIATION IS LOCATED AS FOLLOWS:

WELL #7: NW 1/4 SW 1/4 SECTION 10, T16S, R11E, W.M., 1670 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF SECTION 10.

THE PLACE OF USE IS LOCATED AS FOLLOWS: (99.2 ACRES)

SE 1/4 NE 1/4 0.6 ACRE
NE 1/4 SE 1/4 4.8 ACRES
SECTION 9

NW 1/4 NW 1/4 11.1 ACRES
SW 1/4 NW 1/4 34.7 ACRES
NW 1/4 SW 1/4 38.7 ACRES
SW 1/4 SW 1/4 9.3 ACRES
SECTION 10

TOWNSHIP 16 SOUTH, RANGE 11 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this certificate, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

Use of water under authority of this permit may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

STANDARD CONDITIONS

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The Director may require water level or pump test results every ten years after issuance of this certificate.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

This certificate describes that portion of the water right confirmed by Certificate 81534, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered December 15, 2005, approving Transfer Application 9859.

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.

WITNESS the signature of the Water Resources Director,
affixed December 15, 2005.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81675.