

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DON EDMUNDS
20903 KNOTT RD
BEND OR 97702

Confirms the right to use the waters of EDMUNDS WELL AND HALE WELL in the SUMMER LAKE BASIN for WILDLIFE HABITAT USE (INCLUDING WATERFOWL ATTRACTION, WATERFOWL REARING AREAS AND PONDS, and AND FISH REARING PONDS).

This right was perfected under Permit G-11952. The date of priority is MARCH 11, 1994. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1750 GALLONS PER MINUTE (GPM), BEING 1500 GPM FROM THE EDMUNDS WELL, AND 250 GPM FROM THE HALE WELL, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
Edmunds Well	29 S	17 E	WM	26	SW NE	1700 FEET SOUTH & 2200 FEET WEST FROM NE CORNER, SECTION 26
Hale Well	29 S	17 E	WM	26	NE SW	2800 FEET SOUTH & 2680 FEET WEST FROM NE CORNER, SECTION 26

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

FISH AND WILDLIFE							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
29 S	17 E	WM	26	NE NE			
29 S	17 E	WM	26	NW NE			
29 S	17 E	WM	26	SW NE			
29 S	17 E	WM	26	SE NE			
29 S	17 E	WM	26	NE SW			
29 S	17 E	WM	26	SE SW			
29 S	17 E	WM	26	NW SE			

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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 the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

FISH AND WILDLIFE							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
29 S	17 E	WM	26	SW SE			
29 S	17 E	WM	35	NW NE			
29 S	17 E	WM	35	SW NE			
29 S	17 E	WM	35	NE NW			
29 S	17 E	WM	35	SE NW			

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

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.

This right, along with any other rights for wildlife habitat use on the same lands from the Edmunds well, is limited to a total diversion of 1500 gpm.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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.

The Director may require water level or pump test results every ten years.

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.

WITNESS the signature of the Water Resources Director, affixed June 16, 2006.


Phillip C. Ward, Director
Water Resources Department

