

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 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.

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

AVION WATER COMPANY, INC.  
60813 PARRELL ROAD  
BEND, OREGON 97702

confirms the right to use the waters of 10 WELLS in the DESCHUTES RIVER BASIN for QUASI-MUNICIPAL USE.

This right was perfected under Permit G-9320. The date of priority is May 11, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 CUBIC FOOT PER SECOND, if available at the original well; NW 1/4 NE 1/4, SECTION 19, T 17 S, R 13 E, W.M.; 635 FEET SOUTH AND 815 FEET EAST FROM THE N1/4 CORNER OF SECTION 19, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

China Hat Well #1: NE 1/4 NE 1/4, SECTION 29, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.; 400' SOUTH and 900' WEST from the NE corner of SECTION 29.

Conestoga Well (Well R): NE 1/4 NW 1/4, SECTION 22, TOWNSHIP 18 SOUTH, RANGE 13 EAST, W.M.; 370' SOUTH and 300' WEST from the N 1/4 corner of SECTION 22.

Parrell Road Well: SW 1/4 SW 1/4, SECTION 17, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.; 200' NORTH and 570' EAST from the SW corner of SECTION 17.

Riverbend #1 (Well 5): SW 1/4 NE 1/4, SECTION 19, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W. M.; 1380' SOUTH and 1500' WEST from the NE corner of SECTION 19.

Tekampe #1 (Well C-1): SE 1/4 NE 1/4, SECTION 21, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.; 2240' SOUTH and 310' WEST from the NE corner of SECTION 21.

Tekampe #2 (Well C-3): SE 1/4 NE 1/4, SECTION 21, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.; 2240' SOUTH and 325' WEST from the NE corner of SECTION 21.

Tekampe #3 (Well C-2): SE 1/4 NE 1/4, SECTION 21, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.; 2260' SOUTH and 315' WEST from the NE corner of SECTION 21.

Sundance Well #2 (Well -2): NW 1/4 NE 1/4, SECTION 31, TOWNSHIP 18 SOUTH, RANGE 13 EAST, W.M.; 1225' SOUTH and 1985' WEST from the NE corner of SECTION 31.

Riverbend #2 (Well B-2): SW 1/4 NE 1/4, SECTION 19, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.; 1360' SOUTH and 1490' WEST from the NE corner of SECTION 19.

Boonesborough-McGrath #2: SE 1/4 SE 1/4, SECTION 36, TOWNSHIP 16 SOUTH, RANGE 12 EAST, W.M.; 160' NORTH and 796' WEST from the SE corner of SECTION 36.

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

SW¼ SE¼  
SE¼ SE¼  
SECTION 18

NE½ NE¼  
SECTION 19  
TOWNSHIP 17 SOUTH, RANGE 13 EAST, W.M.

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

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

The works shall include an airline and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

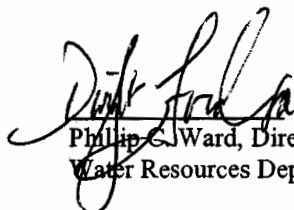
The quantity of water diverted at the new points of appropriation (wells), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

If substantial or undue interference with an existing well used under an existing right, including existing exempt uses, occurs, and such interference can be shown to the satisfaction of the Department to result from the change in the way the water rights are exercised as authorized herein, the use of water from the wells authorized by this right causing the interference shall be regulated to mitigate the interference.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered November 4, 1997, approving Transfer 7779.

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.

Issued AUG 04 2006

  
Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82416.