

STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

Cancelled due to
T-11074: Sp. Or.
Vol 83 p. 194

THIS CERTIFICATE ISSUED TO

Superseded by
Cert No. 86742

RIVERS BEND DEVELOPMENT, LLC
5055 NE McKAY CREEK ROAD
PRINEVILLE, OR 97754

confirms the right to use the waters of TWO WELLS in the DRY CREEK Basin for IRRIGATION of 20 ACRES.

This right was perfected under Permit G-11684. The date of priority is MARCH 24, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.25 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Well #	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
1	16 S	16 E	WM	12	SE SW	178 FEET NORTH AND 510 FEET WEST FROM S1/4 CORNER, SECTION 12
2	16 S	16 E	WM	12	SE SW	147 FEET NORTH AND 581 FEET WEST FROM S1/4 CORNER, SECTION 12

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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The period of allowed use is February 1 through December 31.

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.

SUPERSEDED BY
CERT. NO. 88230

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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Redtail Meadows Subdivision Lot Number	Acres
16 S	16 E	WM	12	SE SW	1	2.5
16 S	16 E	WM	12	SE SW	2	2.5
16 S	16 E	WM	12	SE SW	3	2.5
16 S	16 E	WM	12	SE SW	4	2.4
16 S	16 E	WM	13	NE NW	4	0.1
16 S	16 E	WM	13	NE NW	5	0.1
16 S	16 E	WM	12	SE SW	5	2.4
16 S	16 E	WM	12	SE SW	6	2.5
16 S	16 E	WM	12	SE SW	7	2.5
16 S	16 E	WM	12	SE SW	8	2.5

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the wells at all times.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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 interference.

The Director may require water level or pump tests 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.

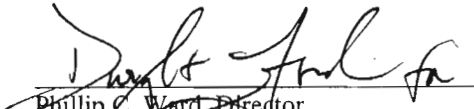
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

JUL 28 2008

Issued _____


Phillip C. Word, Director
Water Resources Department

