

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

CITY OF BEND
575 NE 15TH STREET
BEND, OREGON 97701

confirms the right to use the waters of RIVER WELL #1, RIVER WELL #2, COPPERSTONE WELL, AND PILOT BUTTE WELL #1 in the DESCHUTES BASIN for MUNICIPAL USE.

This right was perfected under Permit G-4946. The date of priority is OCTOBER 13, 1971. This right is limited to 7.57 CUBIC FEET PER SECOND, if available at the original wells: SW ¼ NW ¼, SECTION 5, T 18 S, R 12 E, W.M.; WELL 1 - SOUTH 58 DEGREES 04 MINUTES 01 SECOND EAST, 3007.14 FEET; WELL 2 - SOUTH 55 DEGREES 54 MINUTES 56 SECONDS EAST, 3419.16 FEET: BOTH FROM THE NW CORNER OF THE NE¼ NE¼, SECTION 6, or its equivalent in case of rotation, measured at the well(s).

The wells are located as follows:

RIVER WELL #1 - SW ¼ NW ¼, SECTION 5, T 18 S, R 12 E, W.M.; SOUTH 58 DEGREES 04 MINUTES 01 SECOND EAST, 3007.14 FEET FROM THE NW CORNER OF THE NE ¼ OF THE NE ¼, SECTION 6.

RIVER WELL #2 - SW ¼ NW ¼, SECTION 5, T 18 S, R 12 E, W.M.; 1420 FEET SOUTH AND 950 FEET EAST FROM THE NW CORNER, SECTION 5.

COPPERSTONE WELL - SW ¼ NE ¼, SECTION 25, T 17 S, R 11 E, W.M.; NORTH 5 DEGREES 55 MINUTES 14 SECONDS EAST, 1209.8 FEET FROM THE SW CORNER OF THE NE ¼, SECTION 25.

PILOT BUTTE WELL #1 - NE ¼ NE ¼, SECTION 33, T 17 S, R 12 E, W.M.; 200 FEET NORTH AND 400 FEET EAST FROM THE SW CORNER OF THE NE ¼ OF THE NE ¼, SECTION 33.

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:

WITHIN THE SERVICE AREA OF THE CITY OF BEND

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

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

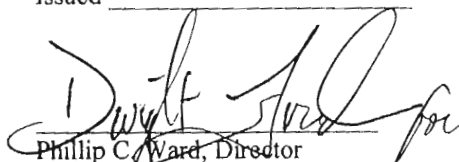
When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plan of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

If withdrawal of water from the new well located in the SW ¼ NE ¼, Section 25, T 17 S, R 11 E, W.M., causes substantial interference with the well on water right Permit G-11106, and this interference would not have occurred had the same amount of water been withdrawn from the original well, use of water from the new well shall be discontinued or reduced to mitigate the interference.

This certificate is issued to confirm A CHANGE IN POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered November 28, 1995, at Special Order Volume 49, Page 433, and together with Certificate 68702, supercedes Certificate 68458, State Record of Water Right Certificates.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued MAR 12 2009


Phillip C. Ward, Director
Water Resources Department