

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STAN M. N. AND LINDA J. STENSTADVOLD  
 70955 HOLMES RD  
 SISTERS OR 97759

STEPHEN M. SPARKS  
 700 KING FARM BLVD  
 ROCKVILLE, MD 20850

confirms the right to use the waters of FOUR WELLS in the DESCHUTES BASIN for IRRIGATION of 75.6 ACRES, being irrigation 12.6 acres for Stenstadvold, and irrigation of 63.0 acres for Sparks.

This right was perfected under Permit G-12711. The date of priority is MARCH 10, 1994. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.947 CUBIC FOOT PER SECOND (cfs); 0.157 cfs for Stenstadvold, being 0.157 from either well in any combination, and 0.79 cfs for Sparks, being 0.25 cfs from Well #2A and 0.79 cfs from Well #3 in any combination, during the period of March 1 through October 31 of each year or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	11 E	WM	11	NE NE	WELL #3 - 1340 FEET NORTH AND 1070 FEET WEST FROM E1/4 CORNER OF SECTION 11
14 S	11 E	WM	11	SW NW	WELL #1 - 1350 FEET SOUTH AND 440 FEET EAST FROM NW CORNER OF SECTION 11
14 S	11 E	WM	11	SW NW	WELL #4 - 2570 FEET SOUTH AND 45 FEET EAST FROM NW CORNER OF SECTION 11
14 S	11 E	WM	11	NE SE	WELL #2A - 610 FEET SOUTH AND 1000 FEET WEST FROM E1/4 CORNER OF SECTION 11

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 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Owner	Acres
14 S	11 E	WM	11	NE NE	Sparks	19.2
14 S	11 E	WM	11	NW NE	Sparks	6.3
14 S	11 E	WM	11	SW NE	Sparks	2.5
14 S	11 E	WM	11	SE NE	Sparks	25.8
14 S	11 E	WM	11	NE SE	Sparks	4.3
14 S	11 E	WM	12	NW NW	Sparks	4.8
14 S	11 E	WM	12	SW NW	Sparks	0.1
14 S	11 E	WM	11	SW NW	Stenstadvold	12.5
14 S	11 E	WM	11	SE NW	Stenstadvold	0.1

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 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.

The well(s) 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 the water level elevation in the well at all times.

Measurement, recording, and reporting conditions:

- a. The water user shall install a meter, or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- b. 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.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are 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 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.

Use of water under authority of this right may be regulated if analysis of data available after the permit 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 this right or as those quantities may be subsequently reduced.

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 groundwater rights.

This certificate describes that portion of the water right confirmed by Certificate 84174, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 15 2009, approving Transfer Applications T-10480 and T-10481. This certificate is also issued to correctly identify the place of use.

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.

WITNESS the signature of the Water Resources Director, affixed SEP 15 2009.



Phillip C. Ward, Director *PW*