

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEPHEN M SPARKS REVOCABLE TRUST
700 KING FARM BLVD; SUITE 100
ROCKVILLE MD 20850

confirms the right to use the waters of A WELL (WELL 2A), tributary to WHYCHUS CREEK for RESERVOIR STORAGE AND MAINTENANCE.

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 0.08 CUBIC FOOT PER SECOND, or its equivalent, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	11 E	WM	11	NE SE	610 FEET SOUTH AND 1000 FEET WEST FROM E1/4 CORNER, SECTION 11

The amount of water used for year round storage in Sparks Reservoir and maintenance of the reservoir, is limited to a pumping rate of 0.08 of one cubic foot per second and an annual volume of 19.2 acre-feet for each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
14 S	11 E	WM	11	NE NE
14 S	11 E	WM	11	SW NE
14 S	11 E	WM	11	SE NE

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order and make such improvements as may be required by the Department.
- 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

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

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.

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

The well 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 to determine the water level elevation in the well at all times.

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.

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.

This use may be regulated if analysis of data available discloses that the use of water measurably reduces the flow of the springs tributary to Whychus Creek, use of water under this right may be regulated so as to avoid injury to water rights from that source.

The use of water shall be limited when it interferes with any prior surface or ground water right.

This certificate is issued to confirm a change in POINT OF APPROPRIATION, PLACE OF USE, and CHARACTER OF USE approved by an order of the Water Resources Director entered December 11, 2008, at Special Order Volume 76, Page 843, approving Transfer Application 10296, and together with Certificate 87551, supersedes Certificate 82985, State record of Water Right Certificates.

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.

Issued **MAY 07 2012**



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director