

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEVEN AND LESLIE SKELTON
12379 N TALL GRASS DR
ORO VALLEY AZ 85755

KATHERINE HART
7113 NW 25TH AVE
VANCOUVER WA 98665

GRACE GUYER
1550 SW WESTWOOD DR
PORTLAND OR 97239

NELSON CABIN TRUST
369 CUCKOO CT
APPLEGATE CA 95703

RONALD ESTES
1825 NE CLIFF DR
BEND OR 97701

CHARLES CLEVELAND
1945 NE DESERT CT
BEND OR 97701

USDA FOREST SERVICE
63095 DESCHUTES MARKET RD
BEND OR 97701

confirms the right to the use of water perfected under the terms of Permit S-54608. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-86965

SOURCE OF WATER: ELK LAKE

PURPOSE OR USE: HUMAN CONSUMPTION FOR SIX HOUSEHOLDS (INDOOR USE ONLY: COOKING, DRINKING, SANITATION)

MAXIMUM RATE: 0.03 CUBIC FOOT PER SECOND (CFS), BEING 0.005 CFS EACH FOR SIX HOUSEHOLDS, FURTHER LIMITED TO 500 GALLONS PER DAY

PERIOD OF USE: MAY 1 THROUGH NOVEMBER 30

DATE OF PRIORITY: SEPTEMBER 7, 2007

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	8 E	WM	32	SW NW	POD E - 840 FEET NORTH AND 590 FEET EAST FROM W1/4 CORNER, SECTION 32
18 S	8 E	WM	32	SW NW	POD D - 810 FEET NORTH AND 600 FEET EAST FROM W1/4 CORNER, SECTION 32
18 S	8 E	WM	32	NW SW	POD C - 80 FEET SOUTH AND 380 FEET EAST FROM W1/4 CORNER, SECTION 32
18 S	8 E	WM	32	NW SW	POD A - 280 FEET SOUTH AND 320 FEET EAST FROM W1/4 CORNER, SECTION 32
18 S	8 E	WM	32	NW SW	POD B - 420 FEET SOUTH AND 180 FEET EAST FROM W1/4 CORNER, SECTION 32

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
18 S	8 E	WM	32	SW NW
18 S	8 E	WM	32	NW SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter or other suitable measuring device as approved by the Director at each point of diversion.
- B. The water user shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- C. The water user shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that fish screens and/or by-pass devices are not necessary at this time, the water user may be required in the future to install, maintain, and operate fish screening and/or by-pass devices to prevent fish from entering the diversion, and to provide adequate upstream and downstream passage for fish.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such

prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to the agreement.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

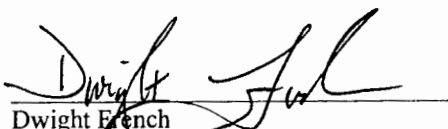
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued **MAR 10 2017**



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department