

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CASCADE ACADEMY OF CENTRAL OREGON
19860 TUMALO RESERVOIR RD
BEND OR 97703

confirms the right to the use of water perfected under the terms of Permit G-17775. 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: G-18028

SOURCE OF WATER: WELL 1 (DESC 59549/L109021) IN DESCHUTES RIVER BASIN

RATE: 0.11 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO, AND IN CONJUNCTION WITH PERMIT G-16947, A TOTAL ANNUAL VOLUME OF 15.75 ACRE-FEET (AF), BEING 9.0 AF FOR IRRIGATION AND 6.75 AF FOR COMMERCIAL USE

DATE OF PRIORITY: APRIL 2, 2015

USE: IRRIGATION OF 3.0 ACRES AND COMMERCIAL USE

PERIOD OF USE: IRRIGATION – APRIL 1 THROUGH OCTOBER 31
COMMERCIAL USE – YEAR-ROUND

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	6	SW NE	WELL 1 (DESC 59549/L109021) – 595 FEET NORTH AND 575 FEET EAST FROM C1/4 CORNER, SECTION 6

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	12 E	WM	6	SW NE	3.0

COMMERCIAL USE				
Twp	Rng	Mer	Sec	Q-Q
17 S	12 E	WM	6	SW NE

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 amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Measurement devices, and recording/reporting of annual water use conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter at each point of appropriation.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. 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.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

Groundwater Mitigation Conditions:

1. Mitigation Obligation: Together with Permit G-16947, 6.4 AF of mitigation water in the General Zone of Impact, located anywhere in the Deschutes Basin above the Madras gage, which is located on the Deschutes River below Lake Billy Chinook.
2. Mitigation Source: Together with Permit G-16947, 6.4 mitigation credits from mitigation project MP-126, established by instream water right certificate 93237, within the General Zone of Impact.
3. Mitigation water must be legally protected instream in the General Zone of Impact for the life of this right and subsequent certificate(s). Regulation of the use and/or cancellation of this right, or subsequent certificate(s) will occur if the required mitigation is not maintained.
4. The water user shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally mitigated amount and/or if the use of water under this right is separated from Permit G-16947.
5. If mitigation is from a secondary right for stored water from a storage project not owned or operated by the water user, the use of water under this right is subject to the maintenance and terms and conditions of a valid contract or satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department.
6. Failure to comply with these mitigation conditions shall result in the Department regulating this groundwater right, or subsequent certificate(s), and proposing to cancel this groundwater right, or subsequent certificate(s).

Scenic Waterway Condition:

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 reduced subsequently. However, the use of groundwater allowed under the terms of this right will not be subject to regulation for Scenic Waterway flows, provided the required mitigation is maintained.

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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, 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.

The wells shall be constructed 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 well at all times.

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 such agreement.

The Director may require water level or pump test results every ten years thereafter.

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-practice 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 comprehensive land-use plan.

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

Issued JUN 14 2018



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