

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TUMALO TOWN DISTRICT IMPROVEMENT COMPANY  
 64682 COOK AVE 54  
 BEND OR 97701

confirms the right to use the waters of SEEPAGE FROM TUMALO CREEK, A TRIBUTARY OF THE DESCHUTES RIVER, AND THE DESCHUTES RIVER, a tributary of THE COLUMBIA RIVER, for IRRIGATION OF 13.7 ACRES AND DOMESTIC USE

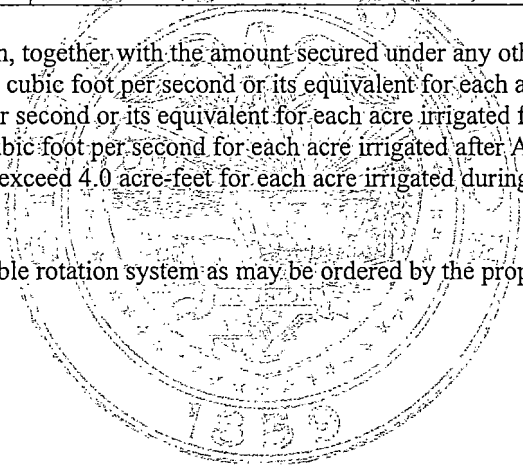
This right was perfected under Permit S-13245. The date of priority is AUGUST 25, 1938. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.3425 CUBIC FOOT PER SECOND FOR IRRIGATION AND 0.5382 CFS FOR DOMESTIC USE, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	6	NW SE	DIVERSION 1 (ORIGINAL) - 2230 FEET NORTH AND 1650 FEET WEST FROM SE CORNER, SECTION 6
16 S	12 E	WM	31	NW NE	PUMP DIVERSION # 1
16 S	12 E	WM	31	SE NE	DIVERSION 2 (ORIGINAL) - 1860 FEET SOUTH AND 1105 FEET WEST FROM NE CORNER, SECTION 31
16 S	12 E	WM	31	SE SE	DIVERSION 3 (ADDITIONAL) - 1149 FEET NORTH AND 943 FEET WEST FROM SE CORNER, SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated from April 1 to May 22, ONE-FORTIETH of one cubic foot per second or its equivalent for each acre irrigated from May 23 to August 20 of each year, and ONE-EIGHTIETH of one cubic foot per second for each acre irrigated after August 20 of each year and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year from April 1 to November 1.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.



**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.

A description of the place of use is as follows:

IRRIGATION AND DOMESTIC USE FROM POD ID #1										
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	USER <sup>1</sup>			
16	S	12	E	WM	31	NW NE	0.696	1000	MILLARD, JIM	
16	S	12	E	WM	31	NW NE	0.348	1602	BEND, CITY OF TUMALO FIRE STATION	
16	S	12	E	WM	31	NW NE	0.290	1700	SCOTT, STEVE	
16	S	12	E	WM	31	NW NE	0.406	1800	KELLEY, PATRICK	
16	S	12	E	WM	31	NW NE	0.116	1900	TURNNEY, LEON	
16	S	12	E	WM	31	NW NE	0.232	1901	TURNNEY, JASON & TAMARA	
16	S	12	E	WM	31	NW NE	0.696	2000	PETERS, BELLE	
16	S	12	E	WM	31	NW NE	0.219	2300	HOOVER, LORRAINE	
16	S	12	E	WM	31	NW NE	0.116	2400	LINVILLE, AGNES	
16	S	12	E	WM	31	NW NE	0.116	2401	LINVILLE, WAYNE	
16	S	12	E	WM	31	NW NE	0.174	2500	MILLER, DARLENE	
16	S	12	E	WM	31	NW NE	0.172	2602	MACCRONE, JENNIFER	
16	S	12	E	WM	31	NW NE	0.350	2700	MCCALLISTER, LARRY	
16	S	12	E	WM	31	NW NE	0.290	3401	DAVIDSON ERNEST	
16	S	12	E	WM	31	NW NE	0.406	3402	CLARK, DEANNA	
16	S	12	E	WM	31	NW NE	0.348	3600	MATHEWS, NENA	
16	S	12	E	WM	31	NW NE	0.348	3601	WALLACE, JERRY	
16	S	12	E	WM	31	NW NE	4.400 <sup>2</sup>	--	ANDREWS [BLOCK 3, LOTS 2,3,5 & 6]	
16	S	12	E	WM	31	NW NE		--	MORGAN [BLOCK 4, LOTS 1,2,11 & 12]	
16	S	12	E	WM	31	NW NE		--	CHAMBERLAIN [BLOCK 4, LOTS 3-9]	
16	S	12	E	WM	31	NW NE		--	SCHOOL DISTRICT #3 [BLOCK 7, LOTS 1-12]	
16	S	12	E	WM	31	NW NE		--	SCHOOL DISTRICT #3 [BLOCK 8, LOTS 1-12]	
16	S	12	E	WM	31	SW NE	0.253	4000	TUMALO CHURCH	
16	S	12	E	WM	31	SW NE	0.058	4300	MORGAN & YOUNG TIMBER CO.	
16	S	12	E	WM	31	SW NE	0.348	4600	PERKINS, GOLDIE	
16	S	12	E	WM	31	SW NE	0.754	4701	TUMALO IRRIGATION DISTRICT	
16	S	12	E	WM	31	SW NE	0.174	4800	KNOX, DAVID	
16	S	12	E	WM	31	SW NE	0.110	5100	EDWARDS, E	
16	S	12	E	WM	31	SW NE	0.064	5101	EDWARDS, E	
<b>Total from POD ID #1</b>							<b>11.484</b>			

<sup>1</sup>Supplemental information

<sup>2</sup>All in the original town of Laidlaw, Oregon

IRRIGATION AND DOMESTIC USE FROM POD ID #2										
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	USER <sup>1</sup>			
16	S	12	E	WM	31	SE NE	0.500	6600	KELLEY, PAT	
16	S	12	E	WM	31	SE NE	0.500	6800	KELLEY, PAT	
<b>Total from POD ID #1</b>							<b>1.000</b>			

<sup>1</sup>Supplemental information

**IRRIGATION AND DOMESTIC USE FROM POD ID #3**

Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot <sup>1</sup>	USER <sup>1</sup>		
16	S	12	E	WM	31	SW NE	0.022	202	J'S 4 LLC ET AL
16	S	12	E	WM	31	NW SE	0.025	202	J'S 4 LLC ET AL
16	S	12	E	WM	31	NW SE	0.081	200	J'S 4 LLC ET AL
16	S	12	E	WM	31	NW SE	0.094	201	J'S 4 LLC ET AL
16	S	12	E	WM	31	NW SE	0.107	203	J'S 4 LLC ET AL
16	S	12	E	WM	31	NW SE	0.121	204	J'S 4 LLC ET AL
16	S	12	E	WM	31	NW SE	0.081	1104	JOEL GISLER
16	S	12	E	WM	31	NW SE	0.066	1105	JOEL GISLER
16	S	12	E	WM	31	NW SE	0.101	1107	JOEL GISLER
16	S	12	E	WM	31	NW SE	0.092	1200	JOEL GISLER
16	S	12	E	WM	31	NW SE	0.078	1201	JOEL GISLER
16	S	12	E	WM	31	NW SE	0.028	1202	JOEL GISLER
16	S	12	E	WM	31	NW SE	0.096	1203	JOEL GISLER
16	S	12	E	WM	31	NW SE	0.112	1204	J'S 4 LLC ET AL
16	S	12	E	WM	31	NW SE	0.112	1205	JOEL GISLER
<b>Total from POD ID #3</b>					<b>1.216</b>				

<sup>1</sup>Supplemental information

The issuance of this certificate confirms satisfactory proof of completion of changes authorized by the orders listed in Table 1, below.

TABLE 1				
WATER RIGHT ACTIONS CONFIRMED BY THIS CERTIFICATE				
Transaction File #	Water Right Action	Order Date	Special Order	
			Volume	Page
T-10725	Water Right Transfer	01/06/2009	77	33
T-11210	Water Right Transfer	01/18/2012	85	945

Measurement, recording and reporting conditions for Diversion 1 and Diversion 3:

- A. The water user shall maintain, in good working order, a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of diversion.
- B. 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.

The quantity of water diverted at the additional point of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

The water user shall maintain and operate fish screening at Diversion 3 as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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

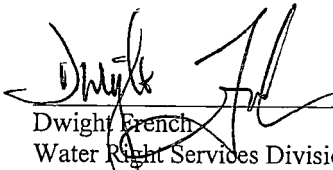
This certificate is issued to confirm transfers T-10725 and T-11210. This certificate supersedes certificate 76619.

In addition, this Certificate includes the portion of the originating water right Certificate 76619, NOT modified by the provisions of orders listed in Table 1, above.

This certificate supersedes Certificate 76619. The issuance of this superseding certificate confirms only the status of the portion of the water right affected by water right actions listed as confirmed in Table 1, above. The issuance of this superseding certificate does not confirm any other portion of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 76619 and any related decree.

Issued JAN 03 2019

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