

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SWALLEY IRRIGATION DISTRICT  
 P.O. BOX 5126  
 BEND OR 97708-5126

confirms the right to use the waters of THE DESCHUTES RIVER, a tributary of THE COLUMBIA RIVER for IRRIGATION of 40.16 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 12, at Page 282 and Volume 16, at Pages 148 and 396. The date of priority is SEPTEMBER 1, 1899.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed the rates and volumes described below, or its equivalent in case of rotation, measured at the point of diversion:

Season	Total Maximum	Per Acre Maximum
Season 1 Rate: April 1 - 30 & Oct. 1 - 31	0.175 cfs	1 cfs to 229.5 acres
Season 2 Rate: May 1 - 14 & Sept. 15 - 30	0.235 cfs	1 cfs to 170.9 acres
Season 3 Rate: May 15 - Sept. 14	0.435 cfs	1 cfs to 92.3 acres
Duty	126.5 AF	3.15 AF

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	12 E	WM	17	SW SE	DESCHUTES RIVER RANCH GROUP POD NO. 2 - 1053 FEET NORTH AND 396 FEET EAST FROM THE S ¼ CORNER, SECTION 17

A description of the new place of use with a reduction of rate under the allocation of conserved water is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	12 E	WM	17	SE SW	2700	3.80
16 S	12 E	WM	17	SW SE	2700	3.56
16 S	12 E	WM	17	SE SE	2700	0.22
16 S	12 E	WM	20	NW NE	100	0.20
16 S	12 E	WM	20	NW NE	103	0.29
16 S	12 E	WM	20	NW NE	104	0.84
16 S	12 E	WM	20	NE NW	104	0.29

**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.



IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	12 E	WM	20	NE NW	100	2.09
<b>TOTAL</b>						<b>11.29</b>

A description of the remaining right acres receiving a reduction of rate under the allocation of conserved water is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	12 E	WM	20	NE NE	2500	11.15
16 S	12 E	WM	20	NE NE	2501	4.29
16 S	12 E	WM	20	NW NE	100	0.30
16 S	12 E	WM	20	NW NE	101	1.81
16 S	12 E	WM	20	NW NE	102	3.12
16 S	12 E	WM	20	NW NE	103	4.81
16 S	12 E	WM	20	NW NE	104	2.99
16 S	12 E	WM	20	NE NW	104	0.40
<b>TOTAL</b>						<b>28.87</b>

The quantity of water diverted at the new point of diversion, together with that diverted at the old point(s) of diversion, shall not exceed the quantity of water lawfully available at the original point(s) of diversion.

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

This certificate is issued to confirm a change in POINT OF DIVERSION, PLACE OF USE, and REDUCTION OF RATE UNDER THE ALLOCATION OF CONSERVED WATER CW-43 approved by an order of the Water Resources Director entered SEPTEMBER 11, 2007, at Special Order Volume 73, Page 212, approving Allocation of Conserved Water Application CW-43, and together with Certificate 83522, supercedes a portion of Certificate 74145, State record of Water Right Certificates.

This certificate also describes that portion of the water right confirmed by Certificate 74145, State Record of Water Right Certificates, NOT modified which is only receiving a REDUCTION OF RATE UNDER THE ALLOCATION OF CONSERVED WATER CW-43 by the provisions of the same order. The issuance of this superseding certificate does not confirm the status of the portion of the water right receiving only a reduction of rate under the order in regards to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

Issued AUG 02 2019.



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