

STATE OF OREGON
 COUNTY OF DESCHUTES
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KEN FACKLER
 CAROL FACKLER
 2110 WISTERIA DRIVE
 HIXSON, TN 37343

confirms the right to the use of water perfected under the terms of Permit G-12705. The amount of water used to which this right is entitled is limited to the amount actually beneficially used, and shall not exceed the amount described, or its equivalent in the case of rotation, measured at the well. The specific limits and conditions of this right are listed below.

SOURCE OF WATER: A WELL WITHIN THE DESCHUTES RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 3.8 ACRES

MAXIMUM RATE: 0.05 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 1 TO NOVEMBER 1

DATE OF PRIORITY: AUGUST 31, 1992

The well is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
16 S	11 E	WM	9	NW NE	WELL #4 - 120 FEET SOUTH AND 300 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 9

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
16 S	11 E	WM	4	SE SW	2.7
16 S	11 E	WM	4	NW SE	0.6
16 S	11 E	WM	9	NE NW	0.5
Total:					3.8

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, 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.
- 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.

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

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

STANDARD CONDITIONS

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The Director may require water level or pump test results every ten years after issuance of this certificate.

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.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. 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 shall be limited when it interferes with any prior surface or ground water rights.

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed additional point of appropriation change approved by an order of the Water Resources Director entered July 2, 2013, at Special Order Volume 89, Page 1144, and to describe the water right reverted to the point of appropriation authorized under Certificate 83456 prior to Transfer T-11384 by an order of the Water Resources Director entered August 6, 2019, 2019, at Special Order Volume 113, Page 824, and together with Certificates 88564 and 92957, supersedes Certificate 83456, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status 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 for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed AUG 06 2019.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

