

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF BEND
62975 BOYD ACRES ROAD
BEND OR 97701

confirms the right to use the waters of TUMALO CREEK, A TRIBUTARY OF THE DESCHUTES RIVER, IN CROOK COUNTY, OREGON for MUNICIPAL USE.

This right was confirmed by decrees of the Circuit Court of the State of Oregon for Crook County. The decrees are of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 135 and Volume 191, at Page 188. The dates of priority are SEPTEMBER 1900 and JUNE 1, 1907.

The amount of water used to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purpose.

This right shall be limited to a maximum diversion of 2.01 CUBIC FEET PER SECOND (CFS) BEING, 1.62 CFS WITH PRIORITY DATE SEPTEMBER 1900 AND 0.39 CFS WITH PRIORITY DATE JUNE 1, 1907, beginning on April 15 and ending on October 15 of each year, and the total quantity diverted during said period shall not exceed 253.6 acre feet, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	10 E	WM	7	SE NE	CITY OF BEND INTAKE (BRIDGE CREEK) - 465 FEET NORTH AND 542 FEET WEST FROM THE SE CORNER OF SE 1/4 OF THE NE 1/4, SECTION 7

A description of the place of use is as follows:

WITHIN THE CORPORATE LIMITS OF CITY OF BEND AND SURROUNDING TERRITORY SERVED BY ITS WATER SUPPLY PIPELINES

The right is subject to all other conditions and limitations contained in the decrees.

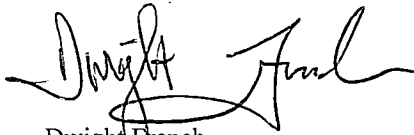
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

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.

This certificate is issued to confirm changes in POINT OF DIVERSION, PLACE OF USE, and CHARACTER OF USE approved by an order of the Water Resources Director entered DECEMBER 28, 1959, at Special Order Volume 10, Page 288, approving Transfer Application B-112, and together with Certificate 31410 and the adjudication proceedings for the relative rights to the use of the waters of Tumalo Creek and its tributaries, supersedes Certificate 73, a portion of Certificate 87, and a portion of the rights determined by the adjudication proceedings for the relative rights to the use of the waters of Tumalo Creek and its tributaries.

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