

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG FALLS RANCH CO.  
ATTN: REX BARBER  
PO BOX 434  
TERREBONE OR 97760

confirms the right to use the waters of AN UNNAMED STREAM (McKENZIE CANYON), a tributary to THE DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION of 206.6 ACRES.

This right was perfected under Permit S-37392. The date of priority is OCTOBER 23, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.5 CUBIC FEET PER SECOND (CFS) IN ANY COMBINATION FROM THE WELLS, FURTHER LIMITED TO 4.44 CFS FROM WELL #1, 3.33 CFS FROM WELL #3, 4.5 CFS FROM WELL #4, AND 2.23 CFS FROM WELL #7, provided the total quantity diverted by all rights perfected under Permit S-37392 does not exceed 4.5 CFS, or its equivalent in case of rotation, measured at the points of appropriation.

The points of appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	9	SE NW	WELL 7 - 1571.4 FEET SOUTH AND 2862.6 FEET WEST FROM NE CORNER, SECTION 9
14 S	12 E	WM	17	SW NE	WELL 3 - 1772.1 FEET SOUTH AND 1706.6 FEET WEST FROM NE CORNER, SECTION 17
14 S	12 E	WM	17	NW NW	WELL 4 - 240.7 FEET SOUTH AND 32.2 FEET EAST FROM NW CORNER, SECTION 17
14 S	12 E	WM	18	SW SE	WELL 1 - 1154.2 FEET NORTH AND 1680.6 FEET WEST FROM SE CORNER, SECTION 18

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-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, 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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	8	NE SW	1.2
14 S	12 E	WM	8	NW SW	0.2
14 S	12 E	WM	8	SW SW	32.7
14 S	12 E	WM	8	SE SW	3.1
14 S	12 E	WM	8	NW SE	2.2
14 S	12 E	WM	8	SW SE	1.1

**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.

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	12 E	WM	17	NW NE	9.3
14 S	12 E	WM	17	SW NE	16.4
14 S	12 E	WM	17	SE NE	32.4
14 S	12 E	WM	17	NW NW	32.9
14 S	12 E	WM	17	SE NW	0.4
14 S	12 E	WM	17	NE SW	5.1
14 S	12 E	WM	17	SE SW	23.8
14 S	12 E	WM	17	NE SE	14.8
14 S	12 E	WM	17	NW SE	24.9
14 S	12 E	WM	17	SW SE	6.1

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

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring devices as approved by the Director in good working order at each well.
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	12 E	WM	4	NW SE	ORIGINAL POINT OF DIVERSION -1592.5 FEET NORTH AND 1610.6 FEET WEST FROM SE CORNER, SECTION 4

The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

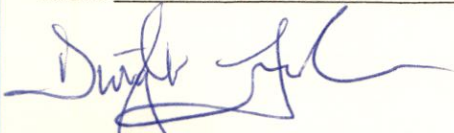
If within five year after approval of the transfer (November 20, 2018), the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the wells, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.

The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five year after approval of the transfer (November 20, 2018), the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.

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.

This certificate is issued to confirm a change from a SURFACE WATER POINT OF DIVERSION TO GROUNDWATER POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered NOVEMBER 20, 2018, at Special Order Volume 109, Page 999, approving Transfer Application T-12651, supersedes Certificate 87655, State Record of Water Right Certificates.

Issued APR 08 2022.



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

