

STATE OF OREGON  
 COUNTY OF DESCHUTES  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL BERG  
 PO BOX 1030  
 SISTERS, OR 97759

confirms the right to the use of water perfected under the terms of Permit G-12711. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well. The specific limits and conditions of the use are listed below.

SOURCE: A WELL IN THE DESCHUTES BASIN

USE: IRRIGATION OF 4.72 ACRES

RATE: 0.058 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR

PRIORITY DATE: MARCH 10, 1994

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	11 E	WM	33	NW NE	793 FEET SOUTH AND 652 FEET EAST FROM N1/4 CORNER, SECTION 33

The amount of water used for irrigation under this right, 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	11 E	WM	33	NW NE	4.72

**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.

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	11 E	WM	11	SW NW	1350 FEET SOUTH AND 440 FEET EAST FROM NW CORNER, SECTION 11
14 S	11 E	WM	11	SW NW	2570 FEET SOUTH AND 45 FEET EAST FROM NW CORNER, SECTION 11

Water use measurement conditions:

- a) The water user shall maintain a totalizing flow meter or other suitable measuring device, as approved by the Director, in good working order, at each point of appropriation,
- b) The water users shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters of measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
- c) The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. IN addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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 after the permit is issued 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 the right or as those quantities may be subsequently reduced.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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 use 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 use of best practical technologies or conservation practices to achieve this end.

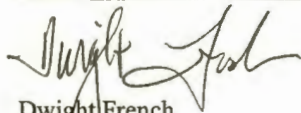
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or groundwater rights.



This certificate is issued to confirm a change in POINT OF APPROPRIATION AND PLACE OF USE approved by an order of the Water Resources Director entered September 15, 2009, at Special Order Volume 78, Page 898, approving Transfer Application T-10481, and together with Certificate 85813, supersedes Certificate 84174, State record of Water Right Certificates.

Issued **OCT 13 2023**



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department