

## STATE OF OREGON

## COUNTY OF DESCHUTES

## CERTIFICATE OF WATER RIGHT

## THIS CERTIFICATE ISSUED TO

HOWARD M. DAY  
65525 GERKING MKT RD  
BEND OR 97701-9081

confirms the right to the use of water perfected under the terms of Permit G-12860. 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 point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13686

SOURCE OF WATER: ONE WELL IN DRY RIVER BASIN

PURPOSE OR USE: INDUSTRIAL USE (DUST CONTROL AND GRAVEL WASHING)

MAXIMUM RATE: 1.09 CUBIC FEET PER SECOND (CFS), BEING 0.27 CFS FOR DUST CONTROL AND 0.82 CFS FOR GRAVEL WASHING

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MAY 16, 1994

## WELL LOCATION:

| Twp  | Rng  | Mer | Sec | Q-Q   | Measured Distances                                             |
|------|------|-----|-----|-------|----------------------------------------------------------------|
| 19 S | 14 E | WM  | 2   | NE SE | 1740 FEET NORTH AND 480 FEET WEST<br>FROM SE CORNER, SECTION 2 |

## THE PLACE OF USE IS LOCATED AS FOLLOWS:

| Twp  | Rng  | Mer | Sec | Q-Q   |
|------|------|-----|-----|-------|
| 19 S | 14 E | WM  | 1   | SW NW |
| 19 S | 14 E | WM  | 1   | NE SW |
| 19 S | 14 E | WM  | 1   | NW SW |
| 19 S | 14 E | WM  | 1   | SE SW |
| 19 S | 14 E | WM  | 1   | SW SE |
| 19 S | 14 E | WM  | 2   | SE NE |
| 19 S | 14 E | WM  | 2   | NE SE |

**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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

| Twp  | Rng  | Mer | Sec | Q-Q   |
|------|------|-----|-----|-------|
| 19 S | 14 E | WM  | 12  | NE NE |
| 19 S | 14 E | WM  | 12  | NW NE |
| 19 S | 14 E | WM  | 12  | SW NE |
| 19 S | 14 E | WM  | 12  | SE NE |

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- 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.
- 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 certificate may be regulated if analysis of data available after the certificate 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 reduced 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.

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.

This right is for the beneficial use of water without waste. 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.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued **MAR 27 2026**.



Katherine Ratcliffe  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

