

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WHITING AND SON  
P.O. BOX 1025  
BURNS, OREGON 97720

confirms the right to use the waters of WHITING WELL NO. 1 in the FOLEY SLOUGH (SILVIES RIVER) BASIN for SUPPLEMENTAL IRRIGATION OF 43.6 ACRES.

This right was perfected under Permit G-2089. The date of priority is AUGUST 29, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.55 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 9, T. 23 S., R. 31 E., W.M.; 29 FEET SOUTH AND 83 FEET EAST FROM THE CENTER 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 for each acre irrigated 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.

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

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

NE $\frac{1}{4}$  NE $\frac{1}{4}$  6.6 ACRES  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  37.0 ACRES

SECTION 9

TOWNSHIP 23 SOUTH, RANGE 31 EAST, W.M.

While, according to the well report, Whiting Well 1 does not conform with current construction standards, staff have concluded that the well was constructed in accordance with the standards in effect at the time the well was constructed. If at any time, however, the well or its use:

- a. acts as a conduit for groundwater contamination,
- b. allows loss of artisan pressure,
- c. allows waste of groundwater,
- d. interferes with senior groundwater users, or
- e. interferes with nearby surface water sources,

the Department may require that the well be repaired in accordance with current well construction standards.

This certificate describes that portion of the water right confirmed by Certificate 35217, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 9, 1995, approving Transfer Application 6782.

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 November 9, 1982.

**M. MARTHA O. PAGEL**

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Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 68680.

T-6782.VLC