

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK LUMBER CO., INC.
DRAWER 79
MILL CITY, OREGON 97360

confirms the right to use the waters of ONE WELL in the LITTLE PUDDING RIVER BASIN for IRRIGATION OF 280.0 ACRES.

This right was perfected under Permit G-11102. The date of priority is JUNE 15, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.65 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

NW 1/4 SE 1/4, AS PROJECTED IN DLC 39, SECTION 12, T 8 S, R 2 W, W.M.;
1820 FEET NORTH AND 1370 FEET WEST FROM SE CORNER OF SECTION 12.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 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:

NW 1/4 SW 1/4 18.0 ACRES
SW 1/4 SW 1/4 40.0 ACRES
ALL AS PROJECTED WITHIN DLC 47
SECTION 7

NW 1/4 NW 1/4 40.0 ACRES
SW 1/4 NW 1/4 40.0 ACRES
NW 1/4 SW 1/4 20.0 ACRES
ALL AS PROJECTED WITHIN DLC 47
SECTION 18
TOWNSHIP 8 SOUTH, RANGE 1 WEST, W.M.

NE 1/4 SE 1/4 18.0 ACRES
NW 1/4 SE 1/4 2.0 ACRES
SW 1/4 SE 1/4 3.0 ACRES
SE 1/4 SE 1/4 40.0 ACRES
ALL AS PROJECTED WITHIN DLC 39
SECTION 12

NE 1/4 NE 1/4 27.0 ACRES
SE 1/4 NE 1/4 20.0 ACRES
NE 1/4 SE 1/4 12.0 ACRES
ALL AS PROJECTED WITHIN DLC 39
SECTION 13
TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.

SEE NEXT PAGE

The water user shall report a March static water level in the well to the Groundwater/Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made and calculations detailed by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, water well contractor and pump installers.

Use of water from the well shall not be allowed under this right if the well displays (A) an average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water level in the well was 67 feet below land surface on May 10, 1990. That is the level from which previously cited declines will be referenced.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

When required by the department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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.

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

The right to use 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 APRIL 11, 1996.

 **Steven P. Applegate**
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72232.

BASIN 2

VOLUME 13A LITTLE PUDDING RIVER WELLS

DISTRICT 16

G-12147.BXB