

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLIFFORD HERR
9551 SELAH SPRINGS ROAD
SILVERTON, OREGON 97381

confirms the right to use the waters of ONE WELL in the PUDDING RIVER BASIN for IRRIGATION OF 36.0 ACRES.

This right was perfected under Permit G-11159. The date of priority is APRIL 2, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.45 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

SW 1/4 NE 1/4, AS PROJECTED WITHIN DLC 56, SECTION 12, T 7 S, R 2 W, W.M.; 1370 FEET SOUTH AND 1700 FEET WEST FROM THE NE 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 NE 1/4	0.5 ACRE
SW 1/4 NE 1/4	10.4 ACRES
NE 1/4 NW 1/4	1.1 ACRES
SE 1/4 NW 1/4	24.0 ACRES
ALL AS PROJECTED WITHIN DLC 56	
SECTION 12	
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.	

The water user shall annually 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, licensed well constructor, professional engineer, or pump installers licensed by the Construction Contractors Board.

Use of water from the well shall not be allowed under this water right if the well displays an (A) 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 right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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The Water Resources Department has determined that the initial water level in the well was 52 feet below land surface on May 19, 1989. That is the level from which previously cited declines will be referenced.

The use of water shall be limited when it interferes with the prior SURFACE OR GROUNDWATER rights of others.

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 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.

WITNESS the signature of the Water Resources Director, affixed JULY 8, 1996.

151 Steven P. Applegate
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72403.

BASIN 2

VOLUME 13 PUDDING RIVER MISC. WELLS
MGMT.CODE 4E - GW/H

DISTRICT 16

G-12062.BXB