

STATE OF OREGON  
COUNTY OF POLK  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HAROLD S. BOYD  
4800 4-H ROAD NW  
SALEM, OR 97304

confirms the right to use the waters of ONE WELL in the SPRING CREEK BASIN for IRRIGATION OF 26.0 ACRES.

This right was perfected under Permit G-11384. The date of priority is AUGUST 29, 1990. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.06 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:

NE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 14, SECTION 35, T 6 S, R 4 W, W.M.; 2550 FEET NORTH AND 80 FEET WEST FROM THE SE CORNER OF SECTION 35.

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:

SE 1/4 NE 1/4 13.4 ACRES  
NE 1/4 SE 1/4 2.3 ACRES  
SECTION 35

SW 1/4 NW 1/4 10.2 ACRES  
NW 1/4 SW 1/4 0.1 ACRE  
SECTION 36

TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

To monitor the effect of water use from the well authorized under this Certificate, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place**

**Initial and Annual Measurements**

The Department requires the water right holder to submit an initial water level measurement in the month specified above once well construction is complete and annually thereafter until use of water begins; and

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**After Use of Water has Begun****Seven Consecutive Annual Measurements**

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. **If the measurement requirement is stopped, the Director may restart it at any time.**

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor, or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water right user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this water right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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

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

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.

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.

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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 AUGUST 19, 1996.

     | Steven P. Applegate

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72474.