

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HENRY FU  
175 KEVIN WAY SE  
SALEM, OREGON 97306

confirms the right to use the waters of A WELL in the PUDDING RIVER BASIN for IRRIGATION OF 56.0 ACRES.

This right was perfected under Permit G-12036. The date of priority is SEPTEMBER 20, 1994. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.70 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

LOT 7 (NW 1/4 SE 1/4), SECTION 1, TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.; 300 FEET SOUTH AND 1130 FEET WEST FROM THE SE CORNER OF DLC 55.

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:

SW 1/4 NE 1/4	8.8 ACRES
SE 1/4 NE 1/4	1.4 ACRES
SE 1/4 NW 1/4	5.3 ACRES

ALL AS PROJECTED WITHIN DLC 55

LOT 1 (SE 1/4 NE 1/4)	1.3 ACRES
LOT 2 (SW 1/4 NE 1/4)	7.6 ACRES
LOT 3 (SE 1/4 NW 1/4)	3.3 ACRES
LOT 6 (NE 1/4 SW 1/4)	7.3 ACRES
LOT 7 (NW 1/4 SE 1/4)	18.0 ACRES
LOT 8 (NE 1/4 SE 1/4)	3.0 ACRES

SECTION 1  
TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.

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

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device 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.

The water user shall obtain a static water-level measurement for each well during April of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user 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 referenced level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

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.

The Director may require pump test results every ten years.

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

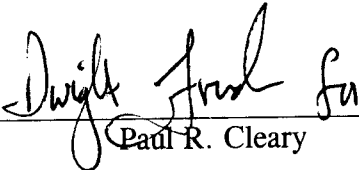
The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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 Director of the Water Resources Department finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed JULY 31, 2001.

  
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Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 77018.