

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

SUPERSEDED BY  
CERT. NO. 91552

THIS CERTIFICATE ISSUED TO

DONALD AND DEBRA DOERFLER                      AND                      DAVID AND RITA DOERFLER  
13883 DOERFLER RD SE                                              13510 DOERFLER RD SE  
SILVERTON, OREGON    97381                                              SILVERTON, OREGON    97381

confirms the right to use the waters of A WELL in the PUDDING RIVER BASIN for IRRIGATION OF 35.7 ACRES AND AGRICULTURAL USE (DAIRY OPERATIONS).

This right was perfected under Permit G-11733. The date of priority is APRIL 2, 1992. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.5 CUBIC FOOT PER SECOND(CFS); BEING 0.45 CFS FOR IRRIGATION AND 0.05 CFS FOR AGRICULTURAL USE, or its equivalent in case of rotation, measured at the well. The period of use for irrigation is limited to March 1 through October 31 of each year. The period of use for agricultural use is allowed throughout the year.

The well is located as follows:

NE 1/4 SW 1/4, AS PROJECTED WITHIN J. HUNT DLC 39, SECTION 35, TOWNSHIP 7 SOUTH, RANGE 1 WEST, W.M.; 760 FEET NORTH AND 260 FEET EAST FROM THE RE-ENTRANT CORNER J. HUNT DLC 39.

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 1/2 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.

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

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

G-12855.SB      Cancelled due to  
T-8846; Sp. Or.      Superseded by  
Vol. 68 P. 85      Cert No. 81837

Certificate Number 80668

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

SE 1/4 NW 1/4        4.3 ACRES AND AGRICULTURAL USE  
NE 1/4 SW 1/4        29.9 ACRES AND AGRICULTURAL USE  
SE 1/4 SW 1/4        1.5 ACRES AND AGRICULTURAL USE

ALL AS PROJECTED WITHIN J. HUNT DLC 39  
SECTION 35  
TOWNSHIP 7 SOUTH, RANGE 1 WEST, W.M.

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 March 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, land owner or appropriator. 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.

The Department 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.

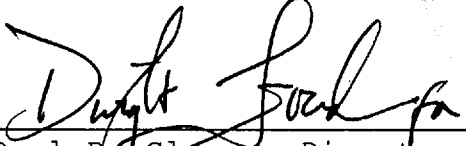
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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

Issued April 22, 2004.

  
Paul R. Cleary, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80668.

G-12855.SB