

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MT. JEFFERSON FARMS  
P.O. BOX 12708  
SALEM, OREGON 97309

This Certificate confirms the right to use the waters perfected under the terms of the Permit. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

APPLICATION FILE NUMBER: G-12975

PERMIT NUMBER: G-11740

SOURCE OF WATER: A WELL IN THE THOMAS CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 140.0 ACRES

MAXIMUM RATE ALLOWED: 1.75 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 9, 1992

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THE WELL IS LOCATED AS FOLLOWS:

LOT 3 (NW 1/4 SW 1/4), SECTION 1, TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.; 80 FEET SOUTH AND 160 FEET EAST FROM THE SE CORNER OF SMALLMAN DLC 53.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

LOT 1 (NW 1/4 NE 1/4)	9.5 ACRES
SW 1/4 NE 1/4	24.1 ACRES
LOT 2 (NE 1/4 NW 1/4)	0.8 ACRES
LOT 2 (SW 1/4 NW 1/4)	5.4 ACRES
LOT 2 (SE 1/4 NW 1/4)	26.2 ACRES
LOT 4 (NE 1/4 SW 1/4)	40.0 ACRES
LOT 3 (NW 1/4 SW 1/4)	18.8 ACRES
LOT 5 (NW 1/4 SE 1/4)	15.2 ACRES
SECTION 1	
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.	

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- 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.

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, professional engineer, or licensed well constructors or pump installers licensed by the Construction Contractors Board. Water levels shall be

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reported as depth-to-water below ground level and shall be accompanied by supporting calculations. 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. 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's 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 reference level for water-level declines (being the second annual measurement taken after water use began under the terms of this right) is 12.3 feet below land surface at the well. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

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

The Director may require water levels or pump test results every ten years.

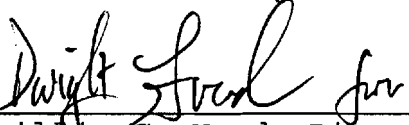
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste. 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 of water shall be limited when it interferes with any prior surface or ground water rights.

Issued March 23, 2005.

  
Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81317.

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