

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

VERNON DEE AND SYLVIA CARTER  
33606 TENNESSEE ROAD  
LEBANON, OREGON 97355

NORTHWEST FARM CREDIT SERVICES ACA  
PO BOX 285  
HARRISBURG, OREGON 97446

confirms the right to use the waters of A WELL in the SOUTH SANTIAM RIVER BASIN for IRRIGATION OF 82.2 ACRES.

This right was perfected under Permit G-12042. The date of priority is June 13, 1991. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.03 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 SW 1/4, AS PROJECTED WITHIN THE A. KEES DLC 69, SECTION 35, TOWNSHIP 11 SOUTH, RANGE 2 WEST, W.M.; 960 FEET NORTH AND 1846 FEET EAST FROM THE SW CORNER OF SECTION 35.

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 ONE-EIGHTIETH of one cubic foot per second per acre (or its equivalent for each acre irrigated) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 through October 31.

G-12571.RA

Certificate Number 81407

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

NE 1/4 SW 1/4 26.2 ACRES  
NW 1/4 SW 1/4 13.5 ACRES  
SW 1/4 SW 1/4 1.2 ACRES  
SE 1/4 SW 1/4 28.4 ACRES  
ALL AS PROJECTED WITHIN A. KEES DLC 69  
SECTION 35  
TOWNSHIP 11 SOUTH, RANGE 2 WEST, W.M.

NE 1/4 NW 1/4 12.4 ACRES  
NW 1/4 NW 1/4 0.5 ACRE  
BOTH AS PROJECTED WITHIN A. KEES DLC 71  
SECTION 2  
TOWNSHIP 12 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. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

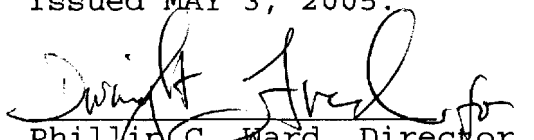
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

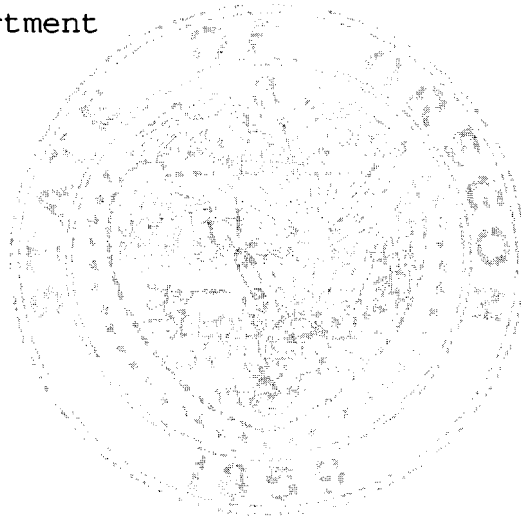
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 of water shall be limited when it interferes with any prior surface or ground water rights.

Issued MAY 3, 2005.

  
Phillip C. Ward, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81407.

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