

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Kraemer Farms  
13318 DOMINIC ROAD NE  
MT. ANGEL, OR 97362

confirms the right to use the waters of FIVE WELLS in the ZOLLNER CREEK BASIN for SUPPLEMENTAL IRRIGATION of 67.1 acres.

This right was perfected under Permit G-6669. The date of priority is SEPTEMBER 18, 1974. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.84 CUBIC FOOT PER SECOND (IF LAWFULLY AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION BEING KRAEMER WELL LOCATED WITHIN THE NE ¼ NE 1/4, SECTION 3, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.), or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

KRAEMER WELL (ORIGINAL) - NE1/4 NE1/4, SECTION 3, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 460 FEET SOUTH AND 940 FEET WEST FROM THE NE CORNER SECTION 3;

RODY WELL - SW1/4 NW1/4, SECTION 2, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 1990 FEET SOUTH AND 90 FEET EAST FROM THE NW CORNER SECTION 2;

KRAEMER WELL #2 - NW1/4 NE1/4, SECTION 3, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 1200 FEET SOUTH AND 550 FEET EAST FROM THE N 1/4 CORNER SECTION 3;

NORB WELL - SW1/4 NW1/4 SECTION 3, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 1730 FEET SOUTH AND 270 FEET EAST FROM THE NW CORNER SECTION 3; AND,

ESCH WELL - NE1/4 NE1/4, SECTION 4, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 50 FEET SOUTH AND 340 FEET WEST FROM THE NE CORNER SECTION 4.

The amount of water used for irrigation, 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 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, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

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

NE 1/4 NE 1/4 27.1 ACRES

SE 1/4 NE 1/4 40.0 ACRES

SECTION 3

TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

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

The quantity of water diverted at the Rody, Kraemer #2, Norb and Esch Wells, together with the quantity diverted from the original point of appropriation (Kraemer Well) shall not exceed the quantity of water available from the original point of appropriation or the capacity of the original point of appropriation at the time of perfection of Permits G-6669, G-7126 and G-8955.

When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate describes that portion of the water right confirmed by Certificate 81308, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 15 2005, approving Transfer Application 9799.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. 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.

WITNESS the signature of the Water Resources Director,  
affixed July 15, 2005

  
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81537.