

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD AND DEBRA DOERFLER      AND  
13883 DOERFLER RD SE  
SILVERTON, OR 97381

DAVID AND RITA DOERFLER  
13510 DOERFLER RD SE  
SILVERTON, OR 97381

confirms the right to use the waters of a WELL in the PUDDING RIVER BASIN for IRRIGATION of 35.7 acres.

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 0.45 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE ¼ SW ¼, AS PROJECTED WITHIN J HUNT DLC 39, SECTION 34  
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 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.

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:

SE ¼ NW ¼    4.3 ACRES  
NE ¼ SW ¼    29.9 ACRES  
SE ¼ SW ¼    1.5 ACRES  
ALL AS PROJECTED WITHIN J. HUNT DLC 39  
SECTION 34  
TOWNSHIP 7 SOUTH, RANGE 1 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 the 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, restriction 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

the 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.

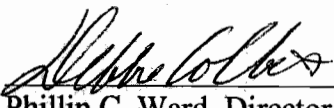
This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

This certificate describes that portion of the water right confirmed by Certificate 80668, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered February 22, 2006, approving Transfer Application 8846.

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.

WITNESS the signature of the Water Resources Director, affixed February 22, 2006

  
FOR Phillip C. Ward, Director