

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

COUNTIES OF MORROW AND UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COUNTY LINE WATER IMPROVEMENT DISTRICT  
77126 COUNTY LINE ROAD  
HERMISTON, OREGON 97838

confirms the right to use the waters of ARTIFICIALLY RECHARGED GROUND WATER FROM 23 WELLS in the ORDINANCE CRITICAL GROUND WATER AREA for SUPPLEMENTAL IRRIGATION OF 5087.98 ACRES.

This right was perfected under Permit G-10836. The date of priority is FEBRUARY 15, 1978. This right is limited to 59.81 CUBIC FEET PER SECOND, provided the total quantity appropriated by all rights perfected under Permit G-10836 does not exceed 60.20 cubic feet per second, or its equivalent in case of rotation, measured at the wells.

The maximum annual appropriation for all rights perfected under Permit G-10836 shall not exceed 14,688.0 ACRE-FEET of artificially and naturally recharged ground water or a lesser amount as herein provided in condition 8 (Allowable Use of Stored Water).

G-8649.LHN

CERTIFICATE NUMBER 82596

The wells are located as follows:

AYLETT SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 28, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 3700 FEET NORTH AND 1390 FEET EAST FROM THE SW CORNER, SECTION 28.

AYLETT NW $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 28, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 1650 FEET NORTH AND 1320 FEET EAST FROM THE SW CORNER, SECTION 28.

AYLETT SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 28, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 90 FEET NORTH AND 40 FEET WEST FROM THE S $\frac{1}{4}$ , SECTION 28.

COLEMAN SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 26, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 1130 FEET NORTH AND 60 EAST FROM THE W $\frac{1}{4}$  CORNER, SECTION 26.

COLEMAN SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 27, TOWNSHIP 4 NORTH RANGE 27 EAST, W.M.; 2740 FEET NORTH AND 1890 FEET EAST FROM THE SW CORNER, SECTION 27.

COLEMAN SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 27, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 230 FEET NORTH AND 1210 FEET EAST FROM THE W $\frac{1}{4}$  CORNER, SECTION 27.

COLEMAN SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 27, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 960 FEET NORTH AND 1850 FEET EAST FROM THE W $\frac{1}{4}$  CORNER SECTION 27. There are two wells at this location within 20 feet.

COLEMAN SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 26, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 1160 FEET NORTH AND 370 FEET EAST FROM THE W $\frac{1}{4}$  CORNER, SECTION 26.

12H SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 28, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 3180 FEET NORTH AND 1470 FEET WEST FROM THE SE CORNER, SECTION 28..

12H SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 28, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 20 FEET NORTH AND 1350 FEET WEST FROM THE SE CORNER, SECTION 28.

12H NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 33, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 1270 FEET SOUTH AND 1350 FEET WEST FROM THE NE CORNER, SECTION 33.

12H SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 33, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 1940 FEET SOUTH AND 1350 WEST FROM THE NE CORNER, SECTION 33.

HOLZAPFEL NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 32, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 50 FEET SOUTH AND 1450 FEET WEST FROM THE NE CORNER, SECTION 32.

HOLZAPFEL NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 32, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 70 FEET SOUTH AND 2520 FEET EAST FROM THE NW CORNER, SECTION 32.

HOLZAPFEL NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 32, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 340 FEET SOUTH AND 1190 FEET WEST FROM THE NE CORNER, SECTION 32.

KEY SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30.

KEY SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

MANN SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 20, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 190 FEET NORTH AND 1250 FEET EAST FROM THE SW CORNER, SECTION 20

SOLANO SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 20, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 10 FEET NORTH AND 90 FEET EAST FROM THE SW CORNER, SECTION 20.

WOOD NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 30, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 1190 FEET SOUTH AND 4170 FEET EAST FROM THE NW CORNER, SECTION 30.

WOOD NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 3830 FEET SOUTH AND 4160 FEET EAST FROM THE NW CORNER, SECTION 30.

WOOD LOT 4 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ), SECTION 30, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 3875 FEET SOUTH AND 1385 FEET EAST FROM THE NW CORNER, SECTION 30.

WOOD LOT 2 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ), SECTION 30, TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.; 1280 FEET SOUTH AND 1350 FEET EAST FROM THE NW CORNER, SECTION 30.

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) and 3.0 acre-feet for each acre irrigated during the irrigation season of March 10 to October 15 for each calendar year. This right does not alter the Ordinance Critical Ground Water Area Order.

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

NW $\frac{1}{4}$ NW $\frac{1}{4}$	28.6 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	29.3 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	17.8 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	35.4 ACRES
SECTION 2		SW $\frac{1}{4}$ NE $\frac{1}{4}$	35.5 ACRES
NE $\frac{1}{4}$ NE $\frac{1}{4}$	32.3 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	29.6 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	34.1 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.1 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.0 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	21.9 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.5 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	32.7 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	31.2 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	27.5 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	31.3 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	33.6 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	30.8 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	15.7 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	31.5 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	33.1 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	31.5 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	29.1 ACRES	SECTION 4	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	37.8 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	32.8 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.1 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	32.5 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	36.1 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	32.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	36.0 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	32.9 ACRES
SECTION 3		NE $\frac{1}{4}$ NW $\frac{1}{4}$	32.7 ACRES
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	32.7 ACRES
		SW $\frac{1}{4}$ NW $\frac{1}{4}$	32.9 ACRES
		SE $\frac{1}{4}$ NW $\frac{1}{4}$	32.9 ACRES
		SECTION 5	
		NE $\frac{1}{4}$ NE $\frac{1}{4}$	31.5 ACRES
		NW $\frac{1}{4}$ NE $\frac{1}{4}$	35.5 ACRES
		SW $\frac{1}{4}$ NE $\frac{1}{4}$	23.5 ACRES
		SE $\frac{1}{4}$ NE $\frac{1}{4}$	19.5 ACRES
		SECTION 9	

	SE $\frac{1}{4}$ NE $\frac{1}{4}$	10.4 ACRES		NE $\frac{1}{4}$ NW $\frac{1}{4}$	10.3 ACRES
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	39.0 ACRES		NW $\frac{1}{4}$ NW $\frac{1}{4}$	15.2 ACRES
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	38.7 ACRES		SW $\frac{1}{4}$ NW $\frac{1}{4}$	13.3 ACRES
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	9.0 ACRES		SE $\frac{1}{4}$ NW $\frac{1}{4}$	18.1 ACRES
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	12.9 ACRES		NE $\frac{1}{4}$ SW $\frac{1}{4}$	35.9 ACRES
	SECTION 10			NW $\frac{1}{4}$ SW $\frac{1}{4}$	39.4 ACRES
	TOWNSHIP 3 NORTH,			SW $\frac{1}{4}$ SW $\frac{1}{4}$	13.5 ACRES
	RANGE 27 EAST, W.M.			SE $\frac{1}{4}$ SW $\frac{1}{4}$	13.1 ACRES
				NE $\frac{1}{4}$ SE $\frac{1}{4}$	2.8 ACRES
				NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.4 ACRES
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	10.1 ACRES		SW $\frac{1}{4}$ SE $\frac{1}{4}$	27.1 ACRES
LOT 3	(NW $\frac{1}{4}$ SW $\frac{1}{4}$ )	20.8 ACRES		SE $\frac{1}{4}$ SE $\frac{1}{4}$	31.6 ACRES
Lot 4	(SW $\frac{1}{4}$ SW $\frac{1}{4}$ )	32.6 ACRES		SECTION 27	
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33.6 ACRES		NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.0 ACRE
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.0 ACRE		SW $\frac{1}{4}$ NE $\frac{1}{4}$	37.1 ACRES
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	35.8 ACRES		SE $\frac{1}{4}$ NE $\frac{1}{4}$	24.8 ACRES
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	2.9 ACRES		NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.4 ACRES
	SECTION 19			NW $\frac{1}{4}$ NW $\frac{1}{4}$	13.8 ACRES
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.7 ACRES		SW $\frac{1}{4}$ NW $\frac{1}{4}$	36.4 ACRES
LOT 4	(SE $\frac{1}{4}$ SW $\frac{1}{4}$ )	2.5 ACRES		SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.1 ACRES
	SECTION 20			NE $\frac{1}{4}$ SW $\frac{1}{4}$	34.72 ACRES
LOT 6	(SW $\frac{1}{4}$ NE $\frac{1}{4}$ )	8.4 ACRES		NW $\frac{1}{4}$ SW $\frac{1}{4}$	34.42 ACRES
LOT 8	(SE $\frac{1}{4}$ NE $\frac{1}{4}$ )	13.4 ACRES		SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.42 ACRES
LOT 2	(SW $\frac{1}{4}$ NW $\frac{1}{4}$ )	30.3 ACRES		SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.72 ACRES
LOT 4	(SE $\frac{1}{4}$ NW $\frac{1}{4}$ )	18.7 ACRES		NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.1 ACRES
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	19.0 ACRES		NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.9 ACRES
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	24.9 ACRES		SW $\frac{1}{4}$ SE $\frac{1}{4}$	38.6 ACRES
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES		SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	35.6 ACRES		SECTION 28	
LOT 9	(NE $\frac{1}{4}$ SE $\frac{1}{4}$ )	24.4 ACRES			
LOT 10	(NW $\frac{1}{4}$ SE $\frac{1}{4}$ )	7.4 ACRES			
LOT 11	(NW $\frac{1}{4}$ SE $\frac{1}{4}$ )	1.3 ACRES			
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	22.5 ACRES			
LOT 12	(SE $\frac{1}{4}$ SE $\frac{1}{4}$ )	17.3 ACRES			
	SECTION 26				

	NE $\frac{1}{4}$ NE $\frac{1}{4}$	34.7 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	34.3 ACRES
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	37.6 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	32.0 ACRES
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	29.0 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	32.0 ACRES
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	27.1 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	32.0 ACRES
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.9 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	24.42 ACRES
LOT 1	(NW $\frac{1}{4}$ NW $\frac{1}{4}$ )	42.7 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	22.83 ACRES
LOT 2	(SW $\frac{1}{4}$ NW $\frac{1}{4}$ )	34.2 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	22.83 ACRES
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	25.2 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	24.42 ACRES
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	29.5 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	29.0 ACRES
LOT 3	(NW $\frac{1}{4}$ SW $\frac{1}{4}$ )	40.5 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	29.0 ACRES
LOT 4	(SW $\frac{1}{4}$ SW $\frac{1}{4}$ )	37.3 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	31.0 ACRES
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	28.2 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.0 ACRES
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32.8 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32.2 ACRES
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	36.2 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	31.6 ACRES
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	32.6 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	34.4 ACRES
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30.6 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	27.2 ACRES
	SECTION 30		SECTION 33	

	NE $\frac{1}{4}$ NE $\frac{1}{4}$	27.6 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.5 ACRES
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.6 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.5 ACRES
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.1 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10.1 ACRES
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.5 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$	7.1 ACRES
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	32.0 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	32.8 ACRES
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	32.0 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	30.2 ACRES
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	32.0 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	30.2 ACRES
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	32.0 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	35.6 ACRES
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	32.0 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	39.7 ACRES
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	32.0 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	34.0 ACRES
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	32.0 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	30.8 ACRES
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	32.0 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	39.8 ACRES
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	31.0 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32.3 ACRES
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	29.0 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	41.2 ACRES
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33.2 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	39.3 ACRES
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	35.4 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	39.3 ACRES
	SECTION 32		SECTION 34	

NE $\frac{1}{4}$  NE $\frac{1}{4}$  32.9 ACRES  
 NW $\frac{1}{4}$  NE $\frac{1}{4}$  36.3 ACRES  
 SW $\frac{1}{4}$  NE $\frac{1}{4}$  31.4 ACRES  
 SE $\frac{1}{4}$  NE $\frac{1}{4}$  31.4 ACRES  
 NE $\frac{1}{4}$  NW $\frac{1}{4}$  33.5 ACRES  
 NW $\frac{1}{4}$  NW $\frac{1}{4}$  34.0 ACRES  
 SW $\frac{1}{4}$  NW $\frac{1}{4}$  31.4 ACRES  
 SE $\frac{1}{4}$  NW $\frac{1}{4}$  31.4 ACRES  
 NE $\frac{1}{4}$  SW $\frac{1}{4}$  31.4 ACRES  
 NW $\frac{1}{4}$  SW $\frac{1}{4}$  31.4 ACRES  
 SW $\frac{1}{4}$  SW $\frac{1}{4}$  31.4 ACRES  
 SE $\frac{1}{4}$  SW $\frac{1}{4}$  31.4 ACRES  
 NE $\frac{1}{4}$  SE $\frac{1}{4}$  31.4 ACRES  
 NW $\frac{1}{4}$  SE $\frac{1}{4}$  31.4 ACRES  
 SW $\frac{1}{4}$  SE $\frac{1}{4}$  31.4 ACRES  
 SE $\frac{1}{4}$  SE $\frac{1}{4}$  31.4 ACRES

## SECTION 35

NE $\frac{1}{4}$  NW $\frac{1}{4}$  33.9 ACRES  
 NW $\frac{1}{4}$  NW $\frac{1}{4}$  32.2 ACRES  
 SW $\frac{1}{4}$  NW $\frac{1}{4}$  28.3 ACRES  
 SE $\frac{1}{4}$  NW $\frac{1}{4}$  28.3 ACRES  
 NW $\frac{1}{4}$  SW $\frac{1}{4}$  30.2 ACRES  
 SW $\frac{1}{4}$  SW $\frac{1}{4}$  26.0 ACRES

SECTION 36  
 TOWNSHIP 4 NORTH,  
 RANGE 27 EAST, W.M.

The use of water under this right is subject to the following conditions:

1. Water level monitoring: Each year between February 1 and March 15, the District shall determine a water level in each well covered by this right to 0.1 foot below land surface.
2. Target level in key wells: This right designates five existing wells as key wells in the water level monitoring program. As determined between February 1 and March 15 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable water use as indicated under the Allowable Use of Stored Water, Condition 8. Key wells and associated target levels are:

<u>Well Location</u>	<u>Common Names</u> (Per Order, 1976)	<u>Target Levels</u> (Ft below LSD)	
		<u>Upper</u>	<u>Lower</u>
T4N/R27E-30d	Ordnance #14A	88.0	91.0
T4N/R27E-33cba	Ordnance #22	84.0	87.0
T4N/R27E-27c	Ordnance #53B	95.0	98.0
T4N/R27E-26b	Ordnance #17 (newer)	89.0	92.0
T4N/R27E-28b	Ordnance #3	78.0	81.0

3. Water level recorders: The District shall install, maintain, and operate water level recorders in two wells located in NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 33, Township 4 North, Range 27 East, W.M. (known as Ordnance #22), and in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 27, Township 4 North, Range 27 East, W.M. (known as Ordnance #53B). The District shall maintain a record of the data collected from the recorders.
4. Meters: The District shall meter all withdrawals from wells covered by this right and keep records as described below.
5. Calculation of stored water: The Water Resources Department shall make final determinations on stored ground water. This shall occur through a Storage Account which covers this right and the right perfected under Permit 41452. The account shall be based on recharge and withdrawal over only the preceding five water years. It shall be credited at 90 percent of water metered to the place of recharge under the right perfected under Permit 41512. Withdrawals of stored water under this right shall debit the account at 100 percent of metered values at wells. The debit applies to that portion of withdrawals which are in excess of the limits set by the Ordnance Critical Ground Water Area Order. The District may obtain information on the storage account by submitting a written request.
6. Annual Reports:
  - (A) Recharge Report: The District shall submit an annual report to the Director by March 15 of each year. The report shall include the range of discharge rates and total quantities during the prior water year at both the diversion point and the place of recharge. In addition, the report shall include a general operations review, the District's estimate of the storage account and the results of other related water quantity and quality programs.
  - (B) Withdrawal Report: The District shall submit an annual report to the Director by March 15 of each year. The purpose of the report is to show the effects of the pumping during the prior irrigation season. The report shall note total withdrawals at each well during the last irrigation season, recently measured and dated February water levels at each well, and other data pertinent to the storage account.



7. Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.
  
8. Allowable use of stored water: The use of water under this right is based on the allowable use of stored water. The allowable use of stored water during the next irrigation season falls into 3 categories. For ease of reference, these categories are named as color zones.
  - (A) Green zone: If recent water levels as determined between February 1 and March 15 at 3 or more of the 5 key wells are above the upper target levels, use is allowed up to the lesser of either the maximum of the storage account or maximum annual diversion under this right.
  
  - (B) Yellow zone: If neither Green zone nor Red zone water levels prevail, use is allowed up to 85 percent of the recharge volume for the preceding 12 months.
  
  - (C) Red zone: If recent water levels as determined between February 1 and March 15 at 3 or more of the 5 key wells are below the lower target level, no use of recharged water is allowed.
  
9. Records, inspections: The District shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this right and the right perfected under Permit 41452 upon reasonable notice and at any reasonable time.

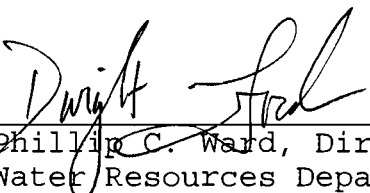
10. Modifications to right: If project performance or other hydrologic circumstances indicate that provisions(s) in this right are an unnecessary hardship, or are either inappropriate or inadequate to monitor or manage the quantity or protect the quality of the ground water resource, the Director may modify target water levels, key wells, the storage account credit factor, the storage account, or any other term of this right as necessary to remedy the deficiencies. Changes shall result through negotiation with the District, or, if satisfactory to the Director, from information derived by the District through a definitive or state-of-the-art ground water investigation. Failing successful negotiations, either the District may petition the Water Resources Commission for a contested case hearing or the Director may require the hearing in order to remedy the deficiencies. This condition does not preclude other judicial review remedies.
  
11. If the recharge withdrawal exceeds 60.2 cfs at any time, the proper state officer shall notify the District and the District shall arrange for a reduction of the pumping so that the cumulative pumping of artificially recharged ground water will not exceed 60.2 cfs.

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

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

WITNESS the signature of the Water Resources Director, affixed

**DEC 15 2006**

  
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Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82596

G-8649.LHN