

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 MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PAUL JENSEN
JB SOD AND SEED
5289 BLUEGRASS LANE
SILVERTON, OREGON 97381

confirms the right to use the waters of THREE WELLS within the
PUDDING RIVER BASIN, for IRRIGATION OF 171.1 ACRES.

This right was perfected under Permit G-12113. The date of priority is April 4, 1991. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.14 CUBIC FEET PER SECOND (CFS), BEING UP TO 1.04 CFS FROM WELLS #1 AND #2, AND 1.10 CFS FROM WELL #3, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL #1: SW $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN DLC 57, SECTION 28, T 4 S, R 1 W, W.M.; 40 FEET SOUTH AND 40 FEET EAST FROM THE SW CORNER DLC 76.

WELL #2: SE $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN DLC 76, SECTION 28, T 4 S, R 1 W, W.M.; 90 FEET NORTH AND 480 FEET WEST FROM THE C 1/4, SECTION 28.

WELL #3: NE $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN DLC 76, SECTION 28, T 4 N, R 1 W, W.M.; 1430 FEET NORTH AND 570 FEET WEST FROM THE C 1/4, SECTION 28.

G-12473.GEC

Certificate Number 83240

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 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 period of use allowed under this right is limited to MARCH 1 through OCTOBER 31 of each year.

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

	PRIMARY WELLS 1 & 2 SUPPLEMENTAL WELL 3	PRIMARY WELL 3 SUPPLEMENTAL WELLS 1 & 2
NE $\frac{1}{4}$ NE $\frac{1}{4}$	9.9 ACRES	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	25.6 ACRES	10.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	4.3 ACRES	15.9 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	3.8 ACRES	28.8 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.8 ACRES	8.1 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		23.8 ACRES

ALL AS PROJECTED WITHIN DLC 76

SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE	1.2 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	20.2 ACRES	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE	
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.7 ACRES	

ALL AS PROJECTED WITHIN DLC 57

LOT 2 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)	0.2 ACRE	
LOT 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)	1.8 ACRES	
LOT 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)	0.1 ACRE	0.1 ACRE
LOT 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$)	1.9 ACRES	
LOT 2 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)	0.2 ACRE	

SECTION 28

NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.3 ACRE
SW $\frac{1}{4}$ NE $\frac{1}{4}$	6.4 ACRES

ALL AS PROJECTED WITHIN DLC 69

LOT 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) 3.6 ACRES

SECTION 29

TOWNSHIP 4 SOUTH, RANGE 1 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 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 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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

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

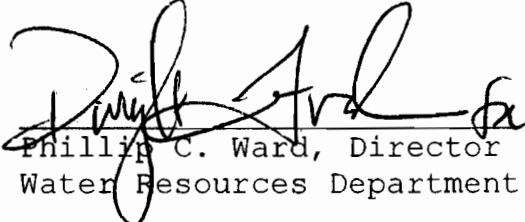
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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 March 1, 2007.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83240.

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