

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DELORES MILLER
8626 WABASH DR NE
BROOKS OR 97305

MARTIN MILLER
8635 WABASH DR NE
BROOKS OR 97305

STEVEN MILLER
PO BOX 648
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confirms the right to use the waters of NORTH AND SOUTH WELL in the Pudding River Basin for IRRIGATION of 81.5 ACRES.

This right was perfected under Permit G-11428. The date of priority is DECEMBER 6, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.02 CUBIC FEET PER SECOND (CFS), BEING 0.46 CFS FROM NORTH WELL AND 0.56 CFS FROM SOUTH WELL, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
North	5 S	2 W	WM	36	NW SE	3		250 FEET SOUTH & 925 FEET EAST FROM SE CORNER, DLC 46
South	6 S	2 W	WM	1	SW NW		54	1580 FEET NORTH & 1250 FEET WEST FROM SW CORNER, DLC 62

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.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	2 W	WM	36	NE SW		100	6.6
5 S	2 W	WM	36	SE SW		100	15.9
5 S	2 W	WM	36	NW SE	3		13.8
5 S	2 W	WM	36	NW SE		100	2.7
5 S	2 W	WM	36	SW SE	4		6.7
5 S	2 W	WM	36	SW SE		100	6.2
6 S	2 W	WM	1	NE NW		54	17.6
6 S	2 W	WM	1	NW NW		54	12.0

The source of water under this right is limited to the Black Sand groundwater reservoir located approximately 150 to 250 feet below land surface.

The wells 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 wells at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

The Director 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, restrictions on the use, civil penalties, or cancellation of the right.

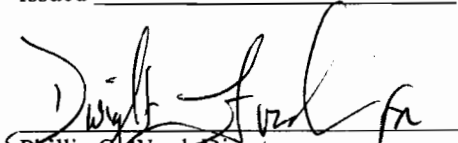
This right is for beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

Issued DEC 19 2008


Phillip C. Ward, Director
Water Resources Department