

STATE OF OREGON
 COUNTY OF MARION
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RONALD G BUHR
 8608 MT ANGEL HWY
 MT ANGEL OR 97362

confirms the right to use the waters of AN UNNAMED STREAM AND TWO RESERVOIRS, CONSTRUCTED UNDER PERMIT R-11695, a tributary to the PUDDING RIVER for SUPPLEMENTAL IRRIGATION of 55.2 ACRES.

This right was perfected under Permit 52020. The date of priority is DECEMBER 27, 1994. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.67 CUBIC FOOT PER SECOND AND 1.82 ACRE FEET, measured at the point of diversion.

Period of allowed use is March 1 through April 30 from live flow and stored water and May 1 through October 31 from stored water only.

The point of diversion is located as follows:

DAM	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2	6 S	1 W	WM	15	NW SW	52	2460 FEET NORTH & 10 FEET EAST FROM SW CORNER, SECTION 15
1	6 S	1 W	WM	16	NE SE	52	2600 FEET NORTH & 390 FEET WEST FROM SW CORNER, SECTION 15

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

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	15	SW NW	52	13.0
6 S	1 W	WM	15	NW SW	52	11.4
6 S	1 W	WM	16	SW NE	52	0.1

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.

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	16	SE NE	52	23.6
6 S	1 W	WM	16	NE SE	52	7.1

Measurement, recording and reporting conditions:

- A. 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 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 use may be restricted if the quality of the source stream decreases to the point that it no longer meets existing state and federal water quality standards due to reduced flows.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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 the 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.

This certificate is issued to correctly identify the location of Dam 2 and supersedes Certificate 85223, state record of water right certificates.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued FEB 06 2009


 Phillip C. Ward, Director
 Water Resources Department