

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID OBERSINNER
7886 NORTH HOWELL PRAIRIE ROAD NE
SILVERTON OR 97381

confirms the right to use the waters of TWO WELLS, within the PUDDING RIVER for SUPPLEMENTAL IRRIGATION of 103.9 ACRES.

This right was perfected under Permit G-7501. The date of priority is May 16, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.55 cubic foot per second, if available at the original well; NE¼ NE¼, SECTION 32, T 5 S, R 1 W, W.M.; 670 FEET SOUTH AND 1140 FEET WEST FROM THE NE CORNER, SECTION 32, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
NEW	5 S	1 W	WM	29	SE SE	235 FEET NORTH AND 325 FEET WEST FROM SE CORNER, SECTION 29
ORIGINAL	5 S	1 W	WM	32	NE NE	670 FEET SOUTH & 1140 FEET WEST FROM NE CORNER, SECTION 32

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, provided further that in the event operation of these wells results in reduction of the natural flow of the Pudding River, water from said wells, in addition to that appropriated within the limitations of the duty of water as fixed herein, shall be discharged as ordered by the Watermaster into the channel of the Pudding River in the amount to offset such reduction, and provided further that the amount of water re-diverted from the channel of the Pudding River shall not exceed the amount by which the flow of the Pudding River at the point of diversion is increased above the natural flow by the operation of said wells.

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

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

NOTICE OF RIGHT TO 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.

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

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	1 W	WM	29	SW NE		43	3.1
5 S	1 W	WM	29	SE NE		43	0.2
5 S	1 W	WM	29	SE NW		43	5.7
5 S	1 W	WM	29	NE SW	3		10.2
5 S	1 W	WM	29	SE SW	4		0.2
5 S	1 W	WM	29	NE SE	1		13.3
5 S	1 W	WM	29	NW SE	2		32.7
5 S	1 W	WM	29	SW SE			19.3
5 S	1 W	WM	29	SE SE			19.2

The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered December 18, 1995, at Special Order Volume 49, Page 496, approving Transfer Application 6964, and together with Certificate 68651, supercedes Certificate 50514, State record of Water Right Certificates.

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.

Issued APR 01 2011



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director