

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID OBERSINNER
7886 N HOWELL PRAIRIE RD NE
SILVERTON OR 97381

confirms the right to use the waters of TWO WELLS in the PUDDING RIVER Basin for AGRICULTURE USE on 44.0 ACRES, IRRIGATION of 21.3 ACRES, and SUPPLEMENTAL IRRIGATION of 20.0 ACRES.

This right was perfected under Permit G-11953. The date of priority is JANUARY 17, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.19 CUBIC FEET PER SECOND (CFS), BEING 0.27 CFS FOR IRRIGATION, 0.25 CFS FOR SUPPLEMENTAL IRRIGATION AND 2.67 CFS FOR AGRICULTURE USE or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1	6 S	1 W	WM	19	NE NE	55	890 FEET SOUTH & 280 FEET EAST FROM NW CORNER, DLC 55
2	6 S	1 W	WM	19	NE NE	55	820 FEET SOUTH & 610 FEET EAST FROM NW CORNER, DLC 55

The amount of water used for AGRICULTURAL USE is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for AGRICULTURAL USE may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year. The use of water for irrigation is limited to March 1 through October 31 of each year. The use of water for agricultural use may be made at any time of the year water may be put to beneficial use.

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:

AGRICULTURE USES							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 W	WM	17	SW SW		55	4.9
6 S	1 W	WM	18	SE SE		55	11.3
6 S	1 W	WM	19	NE NE		55	17.1
6 S	1 W	WM	20	NW NW		55	10.7

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 W	WM	19	NE SE	5		0.6
6 S	1 W	WM	19	SE NE		55	17.6
6 S	1 W	WM	20	SE NW		55	3.1

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 W	WM	20	NE NW		55	3.4
6 S	1 W	WM	20	SE NW	5	55	16.6

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.

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 the 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 of water 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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

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 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 APR 29 2011



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director