

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STUART H. SHOLUND  
LAURA S. SHOLUND  
64760 AIRPORT LANE  
LA GRANDE, OR 97850

confirms the right to use the waters of WELL #2 IN THE GRANDE RONDE RIVER BASIN for SUPPLEMENTAL IRRIGATION of 154.6 ACRES.

This right was perfected under Permit G-12978. The date of priority is JANUARY 17, 1996. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.93 CUBIC FEET PER SECOND.

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31, WHEN NECESSARY FOR SUPPLEMENTAL IRRIGATION.

The point of appropriation is located as follows:

| Twp | Rng  | Mer | Sec | Q-Q   | Measured Distances  |
|-----|------|-----|-----|-------|---|
| 3 S | 39 E | WM  | 30  | NW NW | 117 FEET SOUTH AND 646 FEET EAST FROM THE NW CORNER OF SECTION 30 |

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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

| SUPPLEMENTAL IRRIGATION |      |     |     |       |       |
|-------------------------|------|-----|-----|-------|-------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres |
| 3 S                     | 39 E | WM  | 30  | NE NW | 38.6  |
| 3 S                     | 39 E | WM  | 30  | NW NW | 38.6  |
| 3 S                     | 39 E | WM  | 30  | SW NW | 38.7  |
| 3 S                     | 39 E | WM  | 30  | SE NW | 38.7  |

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.

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 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.

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.

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

If substantial interference with a senior water right occurs due to withdrawal of water from the well listed on this water right, then use of water from the well 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 interferences.

Use of water under this water right may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The well 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 well at all times.

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 water 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.

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

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed change in point of appropriation approved by an order of the Water Resources Director entered May 21, 2010, at Special Order Volume 80, Page 1172, approving Transfer Application T-11020 and, together with the portion of the original right transferred under T-10008, supersedes Certificate 85815, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director, affixed June 4, 2013.

  
Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR