

STATE OF OREGON
 COUNTY OF MARION
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GREG L HERR
 STAN A HERR
 9631 SELAH SPRINGS RD NE
 SILVERTON OR 97381

confirms the right to use the waters of TWO WELLS, within the PUDDING RIVER BASIN for IRRIGATION of 24.2 ACRES.

This right was perfected under Permit G-6641. The date of priority is JANUARY 13, 1976. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.30 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
7 S	1 W	WM	7	SE NW	51	ORIGINAL - 860 FEET NORTH AND 620 FEET EAST FROM SW CORNER, T SHAW DLC 51
7 S	1 W	WM	7	SW NE	51	NEW - 1705 FEET NORTH AND 1532 FEET EAST FROM SW CORNER, T SHAW DLC 51

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
7 S	1 W	WM	7	SW NE	51	16.4
7 S	1 W	WM	7	SE NE	51	3.3
7 S	1 W	WM	7	NE SE	51	0.7
7 S	1 W	WM	7	NW SE	51	3.8

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

Water shall be acquired from the same aquifer as the original point of appropriation.

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable 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 water user shall submit an annual report of water used to the Department by December 1 of each year.


The water user shall be responsible for complying with each of the following requirements for measuring water levels in the additional well:

- i) Use of water from the new well shall be controlled or shut off if the well causes hydraulic interference in any neighboring well whose completion date predates the effective date on this transfer such that the neighboring well user is unable to obtain the ground water to which they are legally entitled.
- ii) A water level measurement shall be made each year during the period March 1 through March 31.
- iii) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
- iv) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- v) The well shall be equipped with an access port and dedicated measuring tube that comply with the standards set forth in OAR 690-215-0060.
- vi) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certificate as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited in section (i) are evidenced by the well measurement required in section (ii - vi).

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered JANUARY 28, 2010, at Special Order Volume 80, Page 153, approving Transfer Application 10863, and together with Certificate 86053, supercedes Certificate 48898, 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 DEC 20 2013


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