

STATE OF OREGON
 COUNTY OF MORROW
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COUNTY LINE WATER IMPROVEMENT DISTRICT
 PO BOX 631
 HERMISTON OR 97838

confirms the right to use the waters of TWO WELLS in UMATILLA RIVER BASIN for SUPPLEMENTAL IRRIGATION of 11.6 ACRES.

This right was perfected under Permit G-10836. The date of priority is FEBRUARY 15, 1978.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.13 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	Measured Distances
4 N	27 E	WM	30	SE SE	WELL 1 (AKA WELL 3) - 290 FEET NORTH AND 50 FEET WEST FROM SE CORNER, SECTION 30
4 N	27 E	WM	30	SE SE	WELL 2 (AKA WELL 4) - 100 FEET NORTH AND 40 FEET WEST FROM SE CORNER, 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 March 10 to October 15 for each calendar year; provided the use does not alter the Ordinance Critical Ground Water Area Order.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	27 E	WM	4	NE NE	1	0.7
3 N	27 E	WM	4	NW NE	2	0.4
3 N	27 E	WM	4	SW NE		0.6
3 N	27 E	WM	4	SE NE		5.2
3 N	27 E	WM	4	NE NW	3	0.1
3 N	27 E	WM	4	SW NW		4.5
3 N	27 E	WM	4	SE NW		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 183.482. 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.

The use of water under this right is subject to the following conditions:

Water level monitoring: Each year between February 1 and March 15, the District shall determine a water level in each well covered by this right to 0.1 foot below land surface.

Target level in key wells: This right designates five existing wells as key wells in the water level monitoring program. As determined between February 1 and March 15 of each year, actual water levels at these wells shall be compared to the target levels to determine allowable water use as indicated under the Allowable Use of Stored Water, Condition 8. Key wells and associated target levels are:

<u>Well Location</u>	<u>Common Names (Per Order, 1976)</u>	<u>Target Levels (Ft below LSD)</u>	
		<u>Upper</u>	<u>Lower</u>
T4N/R27E-30d	Ordinance #14A	88.0	91.0
T4N/R27E-33cba	Ordinance #22	84.0	87.0
T4N/R27E-27c	Ordinance #53B	95.0	98.0
T4N/R27E-26b	Ordinance #17 (newer)	89.0	92.0
T4N/R27E-28b	Ordinance #3	78.0	81.0

Water level recorders: The District shall install, maintain, and operate water level recorders in two wells located in NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 4 North, Range 27 East, W.M. (known as Ordinance #22), and in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, Township 4 North, Range 27 East, W.M. (known as Ordinance #53B). The District shall maintain a record of the data collected from the recorders.

Meters: The District shall meter all withdrawals from wells covered by this right and keep records as described below.

Calculation of stored water: The Water Resources Department shall make final determinations on stored ground water. This shall occur through a Storage Account which covers this right and the right perfected under Permit S-41452. The account shall be based on recharge and withdrawal over only the preceding five water years. It shall be credited at 90 percent of water metered to the place of recharge under the right perfected under Permit S-41512. Withdrawals of stored water under this right shall debit the account at 100 percent of metered values at wells. The debit applies to that portion of withdrawals which are in excess of the limits set by the Ordinance Critical Ground Water Area Order. The District may obtain information on the storage account by submitting a written request.

Annual Reports:

(A) **Recharge Report:** The District shall submit an annual report to the Director by March 15 of each year. The report shall include the range of discharge rates and total quantities during the prior water year at both the diversion point and the place of recharge. In addition, the report shall include a general operations review, the District's estimate of the storage account and the results of other related water quantity and quality programs.

(B) **Withdrawal Report:** The District shall submit an annual report to the Director by March 15 of each year. The purpose of the report is to show the effects of the pumping during the prior irrigation season. The report shall note total withdrawals at each well during the last irrigation season, recently measured and dated February water levels at each well, and other data pertinent to the storage account.

Estimated data: When metered or measured data are missing in whole or in part, the Director may make estimates from available data. Those estimates shall be reasonable and, where a range of uncertainty exists, conservatively low on water delivered to the place of recharge and conservatively high on withdrawals of stored water.

Allowable use of stored water: The use of water under this right is based on the allowable use of stored water. The allowable use of stored water during the next irrigation season falls into 3 categories. For ease of reference, these categories are named as color zones.

(A) **Green zone:** If recent water levels as determined between February 1 and March 15 at 3 or more of the 5 key wells are above the upper target levels, use is allowed up to the lesser of either the maximum of the storage account or maximum annual diversion under this right.

(B) Yellow zone: If neither Green zone nor Red zone water levels prevail, use is allowed up to 85 percent of the recharge volume for the preceding 12 months.

(C) Red zone: If recent water levels as determined between February 1 and March 15 at 3 or more of the 5 key wells are below the lower target level, no use of recharged water is allowed.

Records, inspections: The District shall keep accurate and current records of metered values, water levels and other pertinent information. The Director may inspect the records and works covered by this right and the right perfected under Permit S-41452 upon reasonable notice and at any reasonable time.

Modifications to right: If project performance or other hydrologic circumstances indicate that provisions(s) in this right are an unnecessary hardship, or are either inappropriate or inadequate to monitor or manage the quantity or protect the quality of the ground water resource, the Director may modify target water levels, key wells, the storage account credit factor, the storage account, or any other term of this right as necessary to remedy the deficiencies. Changes shall result through negotiation with the District, or, if satisfactory to the Director, from information derived by the District through a definitive or state-of-the-art ground water investigation. Failing successful negotiations, either the District may petition the Water Resources Commission for a contested case hearing or the Director may require the hearing in order to remedy the deficiencies. This condition does not preclude other judicial review remedies.

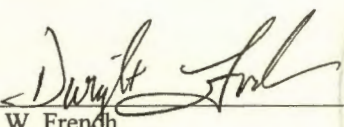
If the recharge withdrawal exceeds 60.2 CFS at any time, the proper state officer shall notify the District and the District shall arrange for a reduction of the pumping so that the cumulative pumping of artificially recharged ground water will not exceed 60.2 CFS.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

This certificate is issued to confirm a CHANGE IN PLACE OF USE approved by an order of the Water Resources Director entered JULY 30, 2003, at Special Order Volume 57, Page 1200, approving Transfer Application 9159, and confirms a portion of the appropriation under Permit G-10836.

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 JAN 31 2014


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

