

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HAZENBERG DAIRY  
5828 CHAMPOEG RD NE  
ST PAUL OR 97137

confirms the right to use the waters of THREE WELLS IN WILLAMETTE RIVER BASIN for IRRIGATION of 265.2 ACRES and SUPPLEMENTAL IRRIGATION of 78.3 ACRES.

This right was perfected under Permit G-13343. The date of priority is JANUARY 13, 1997. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed a maximum cumulative total of 3.56 CUBIC FEET PER SECOND (CFS), BEING 3.32 CFS FOR IRRIGATION AND 0.98 CFS FOR SUPPLEMENTAL IRRIGATION measured at the wells.

The period of use is March 1 through October 31.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	2 W	WM	4	NW NW	39	WELL #1 (MARI 1057) - 1070 FEET SOUTH & 520 FEET EAST FROM NW CORNER, SECTION 4
4 S	2 W	WM	5	SE SE	38	WELL #2 (MARI 1072) - 660 FEET NORTH & 50 FEET WEST FROM SE CORNER, SECTION 5
4 S	2 W	WM	9	NW NW	38	WELL # 3 (MARI 50581) - 330 FEET SOUTH & 1220 FEET EAST FROM NW CORNER, SECTION 9

The amount of water used for irrigation under this right, 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) 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
3 S	2 W	WM	32	NE SE	65	11.5
3 S	2 W	WM	32	SW SE	65	0.2
3 S	2 W	WM	32	SE SE	65	16.1
3 S	2 W	WM	33	NW SW	65	9.6
3 S	2 W	WM	33	SW SW	65	5.1

**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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	2 W	WM	4	SW SW	38	7.8
4 S	2 W	WM	5	NE NE	39	16.4
4 S	2 W	WM	5	NW NE	39	1.9
4 S	2 W	WM	5	SW NE	39	12.8
4 S	2 W	WM	5	SE NE	39	38.9
4 S	2 W	WM	5	NE SE	39	30.3
4 S	2 W	WM	5	NE SE	38	3.4
4 S	2 W	WM	5	NW SE	39	10.7
4 S	2 W	WM	5	NW SE	38	2.9
4 S	2 W	WM	5	SW SE	38	13.4
4 S	2 W	WM	5	SE SE	39	4.7
4 S	2 W	WM	5	SE SE	38	35.1
4 S	2 W	WM	8	NE NE	38	26.6
4 S	2 W	WM	9	NW NW	38	17.8

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
3 S	2 W	WM	32	SW NE	65	14.0
3 S	2 W	WM	32	SE NE	65	1.9
3 S	2 W	WM	32	NE SE	65	19.9
3 S	2 W	WM	32	NW SE	65	18.6
3 S	2 W	WM	32	SE SE	65	7.1
3 S	2 W	WM	33	SW SW	65	15.9
4 S	2 W	WM	4	NW NW	40	0.9

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable 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.

To monitor the effect of water use from the well(s) authorized under this right, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

The reference level against which any future measurements will be compared for WELL #1 (MARI 1057) is 77.42 feet below land surface.

The reference level against which any future measurements will be compared for WELL #2 (MARI 1072) is 73.25 feet below land surface.

The reference level against which any future measurements will be compared for WELL #3 (MARI 50581) is 98.0 feet below land surface.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

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

The Director may require water level or pump test results every ten years.

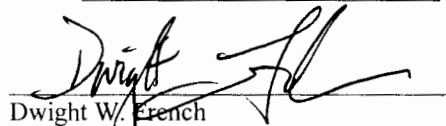
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for 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.

Issued           MAY 21 2014          .



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