

STATE OF OREGON

COUNTY OF MORROW AND UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COUNTY LINE WATER IMPROVEMENT DISTRICT  
 77126 COUNTY LINE ROAD  
 HERMISTON, OREGON 97838

confirms the right to use the waters of ARTIFICIALLY RECHARGED GROUND WATER FROM 23 WELLS in the ORDINANCE CRITICAL GROUND WATER AREA for SUPPLEMENTAL IRRIGATION of 5056.98 ACRES.

This right was perfected under Permit G-10836. The date of priority is FEBRUARY 15, 1978. The right is limited to 59.44 CUBIC FEET PER SECOND, provided the total quantity appropriated by all rights perfected under Permit G-10836 does not exceed 60.20 cubic feet per second, or its equivalent in case of rotation, measured at the wells.

The maximum annual appropriation for all rights perfected under Permit G-10836 shall not exceed 14649.0 ACRE-FEET of artificially and naturally recharged ground water or a lesser amount as herein provided in condition 8 (Allowable Use of Stored Water).

The wells are located as follows:

Name	Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
SOLANO	4 N	27 E	WM	20	SW SW		10 FEET NORTH AND 90 FEET EAST FROM THE SW CORNER OF SECTION 20
MANN	4 N	27 E	WM	20	SE SW		190 FEET NORTH AND 1250 FEET EAST FROM THE SW CORNER OF SECTION 20
COLEMAN	4 N	27 E	WM	26	SW NW		1160 FEET NORTH AND 370 FEET EAST FROM THE W 1/4 CORNER OF SECTION 26
COLEMAN	4 N	27 E	WM	26	SW NW		1130 FEET NORTH AND 60 FEET EAST FROM THE W 1/4 CORNER OF SECTION 26
COLEMAN	4 N	27 E	WM	27	SW NW		230 FEET NORTH AND 1210 FEET EAST FROM THE W 1/4 CORNER OF SECTION 27
COLEMAN	4 N	27 E	WM	27	SE NW		2740 FEET NORTH AND 1890 FEET EAST FROM THE SW CORNER OF SECTION 27
COLEMAN	4 N	27 E	WM	27	SE NW		960 FEET NORTH AND 1850 FEET EAST FROM THE W 1/4 CORNER OF SECTION 27 (There are two wells at this location within 20 feet)
12H	4 N	27 E	WM	28	SW NE		3180 FEET NORTH AND 1470 FEET WEST FROM THE SE CORNER OF SECTION 28
AYLETT	4 N	27 E	WM	28	SE NW		3700 FEET NORTH AND 1390 FEET EAST FROM THE SW CORNER OF SECTION 28
AYLETT	4 N	27 E	WM	28	NW SW		1650 FEET NORTH AND 1320 FEET EAST FROM THE SW CORNER OF SECTION 28

Name	Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
AYLETT	4 N	27 E	WM	28	SE SW		90 FEET NORTH AND 40 FEET WEST FROM THE S1/4 CORNER OF SECTION 28
12H	4 N	27 E	WM	28	SW SE		20 FEET NORTH AND 1350 FEET WEST FROM THE SE CORNER OF SECTION 28
WOOD	4 N	27 E	WM	30	NW NE		1190 FEET SOUTH AND 4170 FEET EAST FROM THE NW CORNER OF SECTION 30
WOOD	4 N	27 E	WM	30	SW NW	2	1280 FEET SOUTH AND 1350 FEET EAST FROM THE NW CORNER OF SECTION 30
WOOD	4 N	27 E	WM	30	SW SW	4	3875 FEET SOUTH AND 1385 FEET EAST FROM THE NW CORNER OF SECTION 30
WOOD	4 N	27 E	WM	30	NW SE		3830 FEET SOUTH AND 4160 FEET EAST FROM THE NW CORNER OF SECTION 30
KEY	4 N	27 E	WM	30	SE SE		290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER OF SECTION 30
KEY	4 N	27 E	WM	30	SE SE		100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER OF SECTION 30
HOLZAPFEL	4 N	27 E	WM	32	NW NE		50 FEET SOUTH AND 1450 FEET WEST FROM THE NE CORNER OF SECTION 32
HOLZAPFEL	4 N	27 E	WM	32	NE NW		70 FEET SOUTH AND 2520 FEET EAST FROM THE NW CORNER OF SECTION 32
HOLAPFEL	4 N	27 E	WM	32	NE NW		340 FEET SOUTH AND 1190 FEET WEST FROM THE NE CORNER OF SECTION 32
12H	4 N	27 E	WM	33	NW NE		1270 FEET SOUTH AND 1350 FEET WEST FROM THE NE CORNER OF SECTION 33
12H	4 N	27 E	WM	33	SW NE		1940 FEET SOUTH AND 1350 FEET WEST FROM THE NE CORNER OF SECTION 33

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) and 3.0 acre-feet for each acre irrigated during the irrigation season of March 10 to October 15 for each calendar year. This right does not alter the Ordinance Critical Ground Water Area Order.

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

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	27 E	WM	2	NW NW		28.60
3 N	27 E	WM	2	SW NW		17.80
3 N	27 E	WM	3	NE NE		32.30
3 N	27 E	WM	3	NW NE		34.10
3 N	27 E	WM	3	SW NE		14.00
3 N	27 E	WM	3	SE NE		21.90
3 N	27 E	WM	3	NE NW		32.70
3 N	27 E	WM	3	NW NW		27.50
3 N	27 E	WM	3	SW NW		33.60
3 N	27 E	WM	3	SE NW		15.70
3 N	27 E	WM	3	NE SW		33.10
3 N	27 E	WM	3	NW SW		29.10
3 N	27 E	WM	3	SW SW		37.80
3 N	27 E	WM	3	SE SW		31.10
3 N	27 E	WM	3	NE SE		36.10
3 N	27 E	WM	3	NW SE		36.00

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	27 E	WM	4	NE NE		29.30
3 N	27 E	WM	4	NW NE		35.40
3 N	27 E	WM	4	SW NE		35.50
3 N	27 E	WM	4	SE NE		29.60
3 N	27 E	WM	4	NE NW		31.10
3 N	27 E	WM	4	NW NW		31.00
3 N	27 E	WM	4	SW NW		26.50
3 N	27 E	WM	4	SE NW		31.20
3 N	27 E	WM	4	NE SE		31.30
3 N	27 E	WM	4	NW SE		30.80
3 N	27 E	WM	4	SW SE		31.50
3 N	27 E	WM	4	SE SE		31.50
3 N	27 E	WM	5	NE NE		32.80
3 N	27 E	WM	5	NW NE		32.50
3 N	27 E	WM	5	SW NE		32.60
3 N	27 E	WM	5	SE NE		32.90
3 N	27 E	WM	5	NE NW		32.70
3 N	27 E	WM	5	NW NW		32.70
3 N	27 E	WM	5	SW NW		32.90
3 N	27 E	WM	5	SE NW		32.90
3 N	27 E	WM	9	NE NE		31.50
3 N	27 E	WM	9	NW NE		35.50
3 N	27 E	WM	9	SW NE		23.50
3 N	27 E	WM	9	SE NE		19.50
3 N	27 E	WM	10	SW NE		10.40
3 N	27 E	WM	10	NE NW		39.00
3 N	27 E	WM	10	NW NW		38.70
3 N	27 E	WM	10	SW NW		9.00
3 N	27 E	WM	10	SE NW		12.90
4 N	27 E	WM	19	NE SW		10.10
4 N	27 E	WM	19	NW SW	3	20.80
4 N	27 E	WM	19	SW SW	4	32.20
4 N	27 E	WM	19	SE SW		33.30
4 N	27 E	WM	19	NW SE		1.00
4 N	27 E	WM	19	SW SE		35.40
4 N	27 E	WM	19	SE SE		2.60
4 N	27 E	WM	20	SW SW		7.70
4 N	27 E	WM	20	SE SW	4	2.50
4 N	27 E	WM	26	SW NE	6	8.40
4 N	27 E	WM	26	SE NE	8	13.40
4 N	27 E	WM	26	SW NW	2	30.30
4 N	27 E	WM	26	SE NW	4	18.70
4 N	27 E	WM	26	NE SW		19.00
4 N	27 E	WM	26	NW SW		24.90
4 N	27 E	WM	26	SW SW		40.00
4 N	27 E	WM	26	SE SW		35.60
4 N	27 E	WM	26	NE SE	9	24.40
4 N	27 E	WM	26	NW SE	11	1.30
4 N	27 E	WM	26	NW SE	10	7.40
4 N	27 E	WM	26	SW SE		22.50
4 N	27 E	WM	26	SE SE	12	17.30
4 N	27 E	WM	27	NE NW		10.30

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	27 E	WM	27	NW NW		15.20
4 N	27 E	WM	27	SW NW		13.30
4 N	27 E	WM	27	SE NW		18.10
4 N	27 E	WM	27	NE SW		35.90
4 N	27 E	WM	27	NW SW		39.40
4 N	27 E	WM	27	SW SW		13.50
4 N	27 E	WM	27	SE SW		13.10
4 N	27 E	WM	27	NE SE		2.80
4 N	27 E	WM	27	NW SE		3.40
4 N	27 E	WM	27	SW SE		27.10
4 N	27 E	WM	27	SE SE		31.60
4 N	27 E	WM	28	NW NE		1.00
4 N	27 E	WM	28	SW NE		37.10
4 N	27 E	WM	28	SE NE		24.80
4 N	27 E	WM	28	NE NW		2.40
4 N	27 E	WM	28	NW NW		13.80
4 N	27 E	WM	28	SW NW		33.40
4 N	27 E	WM	28	SE NW		39.10
4 N	27 E	WM	28	NE SW		34.72
4 N	27 E	WM	28	NW SW		31.42
4 N	27 E	WM	28	SW SW		31.42
4 N	27 E	WM	28	SE SW		31.72
4 N	27 E	WM	28	NE SE		39.10
4 N	27 E	WM	28	NW SE		39.90
4 N	27 E	WM	28	SW SE		38.60
4 N	27 E	WM	28	SE SE		40.00
4 N	27 E	WM	30	NE NE		34.00
4 N	27 E	WM	30	NW NE		37.20
4 N	27 E	WM	30	SW NE		28.00
4 N	27 E	WM	30	SE NE		26.10
4 N	27 E	WM	30	NE NW		30.90
4 N	27 E	WM	30	NW NW	1	42.00
4 N	27 E	WM	30	SW NW	2	33.30
4 N	27 E	WM	30	SE NW		24.20
4 N	27 E	WM	30	NE SW		29.20
4 N	27 E	WM	30	NW SW	3	40.50
4 N	27 E	WM	30	SW SW	4	37.30
4 N	27 E	WM	30	SE SW		27.90
4 N	27 E	WM	30	NE SE		32.00
4 N	27 E	WM	30	NW SE		35.70
4 N	27 E	WM	30	SW SE		32.00
4 N	27 E	WM	30	SE SE		29.70
4 N	27 E	WM	32	NE NE		27.60
4 N	27 E	WM	32	NW NE		2.60
4 N	27 E	WM	32	SW NE		34.10
4 N	27 E	WM	32	SE NE		30.50
4 N	27 E	WM	32	NE NW		32.00
4 N	27 E	WM	32	NW NW		32.00
4 N	27 E	WM	32	SW NW		32.00
4 N	27 E	WM	32	SE NW		32.00
4 N	27 E	WM	32	NE SW		32.00
4 N	27 E	WM	32	NW SW		32.00

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	27 E	WM	32	SW SW		32.00
4 N	27 E	WM	32	SE SW		32.00
4 N	27 E	WM	32	NE SE		31.00
4 N	27 E	WM	32	NW SE		29.00
4 N	27 E	WM	32	SW SE		33.20
4 N	27 E	WM	32	SE SE		35.40
4 N	27 E	WM	33	NE NE		34.30
4 N	27 E	WM	33	NW NE		32.00
4 N	27 E	WM	33	SW NE		32.00
4 N	27 E	WM	33	SE NE		32.00
4 N	27 E	WM	33	NE NW		24.42
4 N	27 E	WM	33	NW NW		22.83
4 N	27 E	WM	33	SW NW		22.83
4 N	27 E	WM	33	SE NW		24.42
4 N	27 E	WM	33	NE SW		29.00
4 N	27 E	WM	33	NW SW		29.00
4 N	27 E	WM	33	SW SW		31.00
4 N	27 E	WM	33	SE SW		31.00
4 N	27 E	WM	33	NE SE		32.20
4 N	27 E	WM	33	NW SE		31.60
4 N	27 E	WM	33	SW SE		34.40
4 N	27 E	WM	33	SE SE		27.20
4 N	27 E	WM	34	NE NE		37.50
4 N	27 E	WM	34	NW NE		39.50
4 N	27 E	WM	34	SW NE		10.10
4 N	27 E	WM	34	SE NE		7.10
4 N	27 E	WM	34	NE NW		32.80
4 N	27 E	WM	34	NW NW		30.20
4 N	27 E	WM	34	SW NW		30.20
4 N	27 E	WM	34	SE NW		35.60
4 N	27 E	WM	34	NE SW		39.70
4 N	27 E	WM	34	NW SW		34.00
4 N	27 E	WM	34	SW SW		30.80
4 N	27 E	WM	34	SE SW		39.80
4 N	27 E	WM	34	NE SE		32.30
4 N	27 E	WM	34	NW SE		41.20
4 N	27 E	WM	34	SW SE		39.30
4 N	27 E	WM	34	SE SE		39.30
4 N	27 E	WM	35	NE NE		32.90
4 N	27 E	WM	35	NW NE		36.30
4 N	27 E	WM	35	SW NE		31.40
4 N	27 E	WM	35	SE NE		31.40
4 N	27 E	WM	35	NE NW		33.50
4 N	27 E	WM	35	NW NW		34.00
4 N	27 E	WM	35	SW NW		31.40
4 N	27 E	WM	35	SE NW		31.40
4 N	27 E	WM	35	NE SW		31.40
4 N	27 E	WM	35	NW SW		31.40
4 N	27 E	WM	35	SW SW		31.40
4 N	27 E	WM	35	SE SW		31.40
4 N	27 E	WM	35	NE SE		31.40
4 N	27 E	WM	35	NW SE		31.40

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	27 E	WM	35	SW SE		31.40
4 N	27 E	WM	35	SE SE		31.40
4 N	27 E	WM	36	NE NW		33.90
4 N	27 E	WM	36	NW NW		18.70
4 N	27 E	WM	36	SW NW		28.30
4 N	27 E	WM	36	SE NW		28.30
4 N	27 E	WM	36	NW SW		30.20
4 N	27 E	WM	36	SW SW		26.00

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

1. 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.
2. 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</u> <u>(Per Order, 1976)</u>	<u>Target Levels</u> <u>(Ft below LSD)</u>	
		<u>Upper</u>	<u>Lower</u>
T4N/R27E-30d	Ordnance #14A	88.0	91.0
T4N/R27E-33cba	Ordnance #22	84.0	87.0
T4N/R27E-27c	Ordnance #53B	95.0	98.0
T4N/R27E-26b	Ordnance #17 (newer)	89.0	92.0
T4N/R27E-28b	Ordnance #3	78.0	81.0

3. 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 Ordnance #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 Ordnance #53B). The District shall maintain a record of the data collected from the recorders.
4. Meters: The District shall meter all withdrawals from wells covered by this right and keep records as described below.
5. 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 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 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.

6. 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.

7. 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.

8. 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.

9. 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 41452 upon reasonable notice and at any reasonable time.

10. 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.

11. 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 describes that portion of the water right confirmed by Certificate 84119, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 29 2014, approving Transfer Application T-11514.

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 OCT 29 2014.



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Dwight French, Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department