

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARK TOEVS
 JILL TOEVS
 P.O. BOX 532
 HINES, OREGON 97738

confirms the right to use the waters of TWO WELLS in the SAGE HEN CREEK Basin for SUPPLEMENTAL IRRIGATION of 134.7 ACRES, BEING 87.8 ACRES FROM WELL 1 AND 46.9 ACRES FROM WELL 2 .

This right was perfected under Permit G-11060. The date of priority is DECEMBER 8, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.68 CUBIC FEET PER SECOND (CFS), BEING 1.1 CFS FROM WELL 1 AND 0.58 CFS FROM WELL 2 , or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	29 E	WM	1	NW NW	4	WELL 1 (ORIGINAL) - 1010 FEET SOUTH AND 1266 FEET EAST FROM NW CORNER, SECTION 1
24 S	29 E	WM	1	SW SE		WELL 2 (ADDITIONAL) - 575 FEET NORTH AND 2250 FEET WEST FROM SE CORNER, SECTION 1

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	WELLS
24 S	29 E	WM	1	SW NE		4.1	WELL 1
24 S	29 E	WM	1	NE NW	3	1.7	WELL 1
24 S	29 E	WM	1	NW NW	4	0.5	WELL 1
24 S	29 E	WM	1	SW NW		7.6	WELL 1
24 S	29 E	WM	1	SE NW		31.6	WELL 1
24 S	29 E	WM	1	NE SW		23.7	WELL 1
24 S	29 E	WM	1	NW SW		1.0	WELL 1
24 S	29 E	WM	1	NE SE		4.1	WELL 2
24 S	29 E	WM	1	NW SE		17.6	WELL 1
24 S	29 E	WM	1	NW SE		16.1	WELL 2
24 S	29 E	WM	1	SW SE		21.0	WELL 2
24 S	29 E	WM	1	SE SE		5.7	WELL 2

The Department may require the water user to submit water level or pump test results every ten years.

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 well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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.

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.


Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

The right to the use of the water is restricted to beneficial use at the place of use described.

This certificate is issued to confirm a change in AN ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered JULY 27, 2007, at Special Order Volume 72, Page 803, approving Transfer Application 9792, and supercedes Certificate 83047, State record of Water Right Certificates.

Issued **JAN 30 2015**



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