

STATE OF OREGON  
 COUNTY OF BENTON  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EUGENE L. BALL  
 34703 OAKVILLE RD SW  
 ALBANY OR 97321

confirms the right to use the waters of WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-1625 AND PERMIT R-5363, TRIBUTARIES OF THE WILLAMETTE RIVER, for IRRIGATION of 15.0 ACRES.

This right was perfected under Permit S-53043. The date of priority is FEBRUARY 27, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 20.0 ACRE FEET or its equivalent in case of rotation, measured at the point of diversion.

The period of allowed use is March 1 through October 31 or as may be further limited by the Bureau of Reclamation water supply contract.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
11 S	4 W	WM	8	SW SE	46	1125 FEET NORTH AND 1825 FEET WEST FROM SE CORNER, SECTION 8

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 2.5 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	DLC	Acres
11 S	4 W	WM	8	NE SW	46	1.6
11 S	4 W	WM	8	SE SW	46	4.2
11 S	4 W	WM	8	NW SE	46	3.9
11 S	4 W	WM	8	SW SE	46	5.3

Measurement, recording and reporting conditions:

- A. The water user shall maintain a meter or other suitable measuring device as approved by the Director in good working order.

**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.

- 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 Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any diversion listed on this right, then use of water from the diversion 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 interferences.

The use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

The use of water under this right is subject to the terms and conditions of Contract No. 6-07-10-W1103 between the Bureau of Reclamation and the water user, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Department.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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.

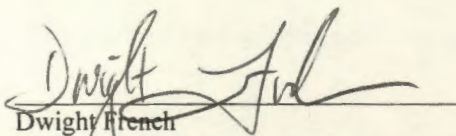
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

**FEB 06 2015**

Issued \_\_\_\_\_.



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