

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GORDON W. & DEBORAH S. SUMMERS
39370 BUCHANAN LOOP
HALFWAY, OR 97834

confirms the right to use the waters of GREENER WELL WITHIN THE PINE CREEK BASIN AND MOODY WELL WITHIN THE EAST PINE CREEK BASIN for SUPPLEMENTAL IRRIGATION of 217.0 ACRES, BEING 128.0 ACRES FROM THE GREENER WELL AND 89.0 ACRES FROM THE MOODY WELL.

This right was perfected under Permit G-13271. The date of priority is JULY 25, 1994. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.41 CUBIC FEET PER SECOND (CFS), BEING 0.26 CFS FROM THE GREENER WELL AND 1.15 CFS FROM THE MOODY WELL or its equivalent in case of rotation, measured at the wells.

The period of allowed use for the MOODY WELL AS CURRENTLY CONSTRUCTED

APRIL 1 THROUGH SEPTEMBER 30, EXCEPT THE USE OF WATER ALLOWED HEREIN FROM THE MOODY WELL MAY BE MADE ONLY AT TIMES WHEN EAST PINE CREEK IS DRY FOR 1320 FEET UPSTREAM AND 1320 FEET DOWNSTREAM FROM THE WELL.

The period of allowed use for the MOODY WELL IF RECONSTRUCTED OR REPLACED

THE SEASON OF USE FOR THE MOODY WELL SHALL BE APRIL 1 TO SEPTEMBER 30 IF THE WELL IS RECONSTRUCTED OR REPLACED.

The period of allowed use for the GREENER WELL IS APRIL 1 TO SEPTEMBER 30.

IF THE WELLS ARE REPLACED THE REPLACEMENT WELLS SHALL BE IN THE GENERAL VICINITY OF THE EXISTING WELLS SUCH THAT THE PRODUCTION WELL IS CASED AND SEALED INTO A CONFINING LAYER AT A MINIMUM OF 90 FEET BELOW LAND SURFACE.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	46 E	WM	10	SE SE	MOODY WELL - 968 FEET NORTH & 450 FEET WEST FROM THE SE CORNER, SECTION 10
8 S	46 E	WM	16	NW NE	GREENER WELL - 205 FEET SOUTH & 445 FEET EAST FROM N1/4 CORNER, SECTION 16

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.

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 each year.

A description of the place of use is as follows:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Well
8 S	46 E	WM	10	SE SE	30.0	Moody
8 S	46 E	WM	11	SW SW	34.0	Moody
8 S	46 E	WM	11	SE SW	25.0	Moody
8 S	46 E	WM	16	NE NE	30.0	Greener
8 S	46 E	WM	16	NW NE	31.0	Greener
8 S	46 E	WM	16	SW NE	29.0	Greener
8 S	46 E	WM	16	SE NE	38.0	Greener

Measurement, recording and reporting conditions:

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

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

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a useable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the wells at all times.

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.

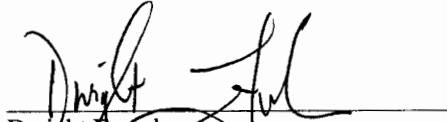
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

MAR 27 2015

Issued _____



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