

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM J STELLMACHER
30416 STELLMACHER DR SW
ALBANY OR 97321

JOYCE M CARNEGIE
1305 14TH AVE SW
ALBANY OR 97321

confirms the right to use the waters of HORSESHOE LAKE AND WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-5363, TRIBUTARIES OF WILLAMETTE RIVER, for IRRIGATION of 121.6 ACRES.

This right was perfected under Permit S-53335. The date of priority is MAY 6, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.47 CUBIC FEET PER SECOND FROM LIVE FLOW AND NOT MORE THAN 150.0 ACRE-FEET (AF) PER YEAR FROM STORED WATER ONLY, PROVIDED THAT THE TOTAL VOLUME OF STORED WATER USED UNDER THIS PERMIT TOGETHER WITH ANY AMOUNT USED UNDER PERMIT 53334 DOES NOT EXCEED 150.0 AF PER YEAR, BEING THE AMOUNT OF STORED WATER MADE AVAILABLE UNDER THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT or its equivalent in case of rotation, measured at the point of diversion.

The period of use is MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31 FROM LIVE FLOW; STORED WATER MAY BE USED MARCH 1 THROUGH OCTOBER 31 OR AS 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	15	SW SW	59	500 FEET NORTH AND 100 FEET EAST FROM SW CORNER, SECTION 15

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) and 2.5 acre-foot for each acre irrigated during the irrigation season of each year.

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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
11 S	4 W	WM	15	NE SW		15.7
11 S	4 W	WM	15	NW SW	59	15.6
11 S	4 W	WM	15	SW SW	59	33.0
11 S	4 W	WM	15	SE SW		39.5
11 S	4 W	WM	15	NW SE	58	4.4
11 S	4 W	WM	15	SW SE		12.9
11 S	4 W	WM	16	NE SE		0.2
11 S	4 W	WM	16	SE SE		0.3

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director 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.

Water user may pump directly from proposed point of diversion on Horseshoe Lake unless pumping causes substantial interference with more senior water right users and regulation occurs, then use must stop.

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

The use of water under this right is subject to the terms and conditions of Contract No. 8-07-10-W1195 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.

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.

APR 24 2015

Issued _____



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