

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD AND SHIRLEY V. GINGERICH
PO BOX 910
CANBY OR 97013

confirms the right to use the waters of TWO WELLS (EXISTING WELL AND WELL 3) in the WHEELER CREEK BASIN for IRRIGATION of 176.63 ACRES.

This right was perfected under Permit G-11443. The date of priority is JUNE 23, 1989. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.86 CUBIC FOOT PER SECOND (CFS), further limited to 0.33 CFS from Existing Well, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	1 E	WM	35	SE SE	EXISTING WELL (ORIGINAL) - 650 FEET NORTH AND 1290 FEET WEST FROM SE CORNER, SECTION 35
4 S	1 E	WM	35	SE SE	WELL 3 (ADDITIONAL) - 1267 FEET NORTH AND 1295 FEET WEST FROM SE CORNER, SECTION 35

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 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	Acres
4 S	1 E	WM	35	SW NE	4.2
4 S	1 E	WM	35	SE NE	4.6
4 S	1 E	WM	35	SE NW	17.5
4 S	1 E	WM	35	NE SW	12.73
4 S	1 E	WM	35	NE SE	39.4
4 S	1 E	WM	35	NW SE	38.0
4 S	1 E	WM	35	SW SE	25.2
4 S	1 E	WM	35	SE SE	35.0

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 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.

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 reference level for the original well, against which any future measurements will be compared, is 33 feet below land surface.

If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well. Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The works constructed shall include an air line and pressure gauge or an access port for a measuring line, adequate to determine water level elevation in the wells at all times.

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 at the original well.

The water user shall maintain the meter or other suitable measuring device in good working order at the additional well (Well 3). 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.

The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

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

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.

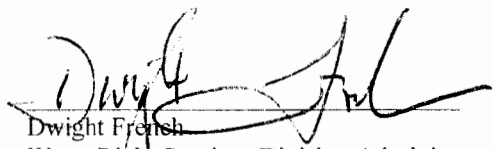
This right is for the beneficial use of water without waste.

The use granted herein may be made only at times when sufficient water is available to satisfy all prior rights.

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.

This certificate is issued to confirm an additional point of appropriation approved by an order of the Water Resources Director entered May 19, 2014, at Special Order Volume 92, Page 597, approving Transfer Application 11722, and together with Certificate 89197, supercedes Certificate 88893, State record of Water Right Certificates.

Issued MAY 01 2015


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