

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE GERALD E. ROTH TRUST, A TRUST AGREEMENT DATED JULY 6, 2012
THE CAROLYN M. ROTH TRUST, A TRUST AGREEMENT DATED JULY 6, 2012
924 SAHALEE CT SE
SALEM, OR 97306

NORTHWEST FARM CREDIT SERVICES, FLCA
650 HAWTHORNE AVE SE, SUITE 210
SALEM, OR 97301

confirms the right to the use of water perfected under the terms of Permit G-12839. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-12307

SOURCE OF WATER: SEVEN WELLS PUMPED INTO A COMMON SYSTEM IN THE PUDDING RIVER BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 40.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 244.0 ACRES

MAXIMUM RATE: 2.34 CUBIC FEET PER SECOND (CFS), BEING 0.51 CFS FOR PRIMARY IRRIGATION FROM BASALT WELLS (WELL 3, WELL 4, WELL 5, AND WELL 7), IN ANY COMBINATION, NOT TO EXCEED A MAXIMUM RATE OF 0.51 CFS; AND 1.93 CFS FOR SUPPLEMENTAL IRRIGATION FROM ALLUVIAL WELLS, BEING 0.6 CFS FROM WELL 6, 0.89 CFS FROM WELL 6A, AND 0.44 CFS FROM WELL G-2303, or its equivalent in case of rotation, measured at the wells.

The summary of amount of water from each well and source is as follows:

Well	Source	Authorized Rate (CFS)	Use
WELL 3	BASALT	0.51	PRIMARY IRRIGATION
WELL 4	BASALT		
WELL 5	BASALT		
WELL 7	BASALT		
WELL 6	ALLUVIAL	0.6	SUPPLEMENTAL IRRIGATION
WELL 6A	ALLUVIAL	0.89	
WELL G-2303	ALLUVIAL	0.44	

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.

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 26, 1990

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
7 S	2 W	WM	14	NE NE	61	WELL 3 (BASALT) - 1170 FEET SOUTH AND 2840 FEET WEST FROM NE CORNER OF SMITH DLC 61
7 S	2 W	WM	14	SE SE	62	WELL 4 (BASALT) - 2420 FEET SOUTH AND 1700 FEET WEST FROM NE CORNER OF FOSS DLC 62
7 S	2 W	WM	14	NW SE	62	WELL 5 (BASALT) - 1320 FEET SOUTH AND 3735 FEET WEST FROM NE CORNER OF FOSS DLC 62
7 S	2 W	WM	14	NE NE	61	WELL 6 (ALLUVIAL) - 1110 FEET SOUTH AND 3570 FEET WEST FROM NE CORNER OF SMITH DLC 61
7 S	2 W	WM	14	NW NE	61	WELL 6A (ALLUVIAL) - 1160 FEET SOUTH AND 4480 FEET WEST FROM NE CORNER OF SMITH DLC 61
7 S	2 W	WM	13	NW SW	62	WELL 7 (BASALT) - 1210 FEET SOUTH AND 690 FEET WEST FROM NE CORNER OF FOSS DLC 62
7 S	2 W	WM	14	NE SE	62	WELL G-2303 (ALLUVIAL) - 1250 FEET SOUTH AND 1410 FEET WEST FROM NE CORNER OF FOSS DLC 62

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

A description of the place of use is as follows:

PRIMARY IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Source	Wells
7 S	2 W	WM	14	SW NE	62	24.3	Basalt	Well 3, Well 4, Well 5, and Well 7
7 S	2 W	WM	14	SE NE	62	0.3	Basalt	Well 3, Well 4, Well 5, and Well 7
7 S	2 W	WM	14	SE NW	62	14.9	Basalt	Well 3, Well 4, Well 5, and Well 7
7 S	2 W	WM	14	NE SW	62	0.4	Basalt	Well 3, Well 4, Well 5, and Well 7
7 S	2 W	WM	14	NW SE	62	0.6	Basalt	Well 3, Well 4, Well 5, and Well 7

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Source	Wells
7 S	2 W	WM	11	SW SE	61	2.2	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	11	SE SE	61	6.0	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	12	SW SW	61	2.9	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	13	NW NW	61	14.8	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	13	SW NW	61	2.7	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	13	SW NW	62	20.0	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	13	NW SW	62	18.3	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	13	SW SW	62	1.4	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	NE NE	61	37.7	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	NW NE	61	40.0	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	SW NE	61	4.0	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	SW NE	62	0.2	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	SE NE	61	6.7	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	SE NE	62	33.6	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	NE NW	61	3.0	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	SE NW	61	0.5	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	NE SE	62	40.0	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	NW SE	62	5.2	Alluvial	Well 6, Well 6A, and Well G-2203

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Source	Wells
7 S	2 W	WM	14	SW SE	62	0.8	Alluvial	Well 6, Well 6A, and Well G-2203
7 S	2 W	WM	14	SE SE	62	4.0	Alluvial	Well 6, Well 6A, and Well G-2203

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meters or measuring devices as approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit an annual report which includes the recorded water use measurements to the Department by December 1 of each year. Further, the Director may require the water user to submit water use records more frequently and/or 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 meters or measuring devices; provided however, where the meters or measuring devices are 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 interferences.

Use of water from the well(s), as allowed herein, shall be controlled or shut off if the well(s) displays:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A total water level decline of fifteen or more feet; or
- (C) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall be responsible for complying with each of the following requirements for measuring water levels in the wells.

- (A) Water level measurements shall be made each year during the period March 1 through March 31.
- (B) All water level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
- (C) Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (D) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited above are evidenced by the well measurement required in this section.

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.

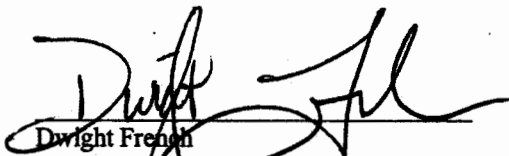
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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.

Issued FEB 18 2016



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