

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CURTIS TROYER
62323 LOWER COVE RD
COVE OR 97824

confirms the right to the use of water perfected under the terms of Permit G-11074. 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-12055

SOURCE OF WATER: WELL 1, WELL 2 (T-10838), WELL 3, WELL 4, AND WELL 1 (T-10838) IN THE GRANDE RONDE RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 249.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 387.9 ACRES

MAXIMUM RATE: 4.0 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 1.27 CFS FROM WELL 1, 1.25 CFS FROM WELL 2 (T-10838), 1.11 CFS FROM WELL 3, 1.74 CFS FROM WELL 4, AND 1.27 CFS FROM WELL 1 (T-10838), IN ANY COMBINATION NOT TO EXCEED 4.0 CFS

DATE OF PRIORITY: MARCH 29, 1990

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	39 E	WM	35	NE NW	WELL 1 [OLD] - 7.6 FEET SOUTH AND 1374.7 FEET EAST FROM NW CORNER, SECTION 35
2 S	39 E	WM	26	SW SE	WELL 2 (T-10838) [NEW] - 17.2 FEET NORTH AND 924.5 FEET EAST FROM N 1/4 CORNER, SECTION 35
2 S	39 E	WM	35	NW NW	WELL 3 [ORIGINAL] - 490 FEET SOUTH AND 30.6 FEET EAST FROM NW CORNER, SECTION 35
2 S	39 E	WM	36	NW NW	WELL 4 [OLD] - 5.0 FEET SOUTH AND 217.7 FEET EAST FROM NW CORNER, SECTION 36
2 S	39 E	WM	35	SE NW	WELL 1 (T-10838) [NEW] - 67.1 FEET NORTH AND 1791.6 FEET EAST FROM W 1/4 CORNER, SECTION 35

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 ONE-EIGHTIETH of one cubic foot per second per acre, 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. This right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	25	NE SW	30.5
2 S	39 E	WM	25	NW SW	30.5
2 S	39 E	WM	25	SW SW	30.5
2 S	39 E	WM	25	SE SW	30.5
2 S	39 E	WM	26	SW SW	0.5
2 S	39 E	WM	35	NE NW	0.5
2 S	39 E	WM	35	SE NW	2.8
2 S	39 E	WM	36	NE NW	30.9
2 S	39 E	WM	36	NW NW	30.9
2 S	39 E	WM	36	SW NW	30.9
2 S	39 E	WM	36	SE NW	30.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	26	NE SW	39.1
2 S	39 E	WM	26	NW SW	38.0
2 S	39 E	WM	26	SW SW	36.9
2 S	39 E	WM	26	SE SW	35.2
2 S	39 E	WM	26	NE SE	30.5
2 S	39 E	WM	26	NW SE	30.5
2 S	39 E	WM	26	SW SE	30.5
2 S	39 E	WM	26	SE SE	30.5
2 S	39 E	WM	35	NE NW	29.5
2 S	39 E	WM	35	NW NW	30.0
2 S	39 E	WM	35	SW NW	30.0
2 S	39 E	WM	35	SE NW	27.2

The water user shall maintain the totalizing flow meters or other suitable measuring devices as approved by the Director in good working order.

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.

The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old points 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 as the original point of appropriation.

The well(s) 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 usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well(s) at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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 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 place of use described.

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