

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRED D. WALLENDER
65228 AIRPORT LANE
LA GRANDE OR 97850

confirms the right to the use of water perfected under the terms of Permit G-12978. 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 wells. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS IN THE GRANDE RONDE RIVER BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 71.9 ACRES AND SUPPLEMENTAL IRRIGATION OF 245.9 ACRES

MAXIMUM RATE: 3.79 CUBIC FEET PER SECOND (CFS); BEING 2.45 CFS FROM WELL 2 AND 3.79 CFS FROM WELL 3 IN ANY COMBINATION

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR PRIMARY IRRIGATION AND THAT PERIOD WHEN NECESSARY FOR SUPPLEMENTAL IRRIGATION

DATE OF PRIORITY: JANUARY 17, 1996

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	39 E	WM	29	NW NE	WELL 2 (ADDITIONAL) - 1235 FEET SOUTH AND 3786 FEET EAST FROM NW CORNER, SECTION 29
3 S	39 E	WM	29	NE NW	WELL 3 (ORIGINAL) - 807 FEET SOUTH AND 1937 FEET EAST FROM NW CORNER, SECTION 29

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 3.0 acre-feet 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	Acres
3 S	39 E	WM	29	NE NE	4.0
3 S	39 E	WM	29	NW NE	20.2
3 S	39 E	WM	29	SW NE	3.8
3 S	39 E	WM	29	SE NE	18.0
3 S	39 E	WM	29	NE NW	19.2
3 S	39 E	WM	29	NW NW	6.7

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.

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	39 E	WM	29	NE NE	36.0
3 S	39 E	WM	29	NW NE	19.8
3 S	39 E	WM	29	SW NE	36.2
3 S	39 E	WM	29	SE NE	19.8
3 S	39 E	WM	29	NE NW	20.8
3 S	39 E	WM	29	NW NW	33.3
3 S	39 E	WM	29	SW NW	40.0
3 S	39 E	WM	29	SE NW	40.0

Measurement, recording and reporting conditions:

- A. The water user shall maintain a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at the new point of appropriation and maintain the meter or other suitable measuring device approved by the Director at the original point of appropriation 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.

The quantity of water diverted at the additional point of appropriation, together with the original 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.

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

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.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The well 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 to determine the water level elevation in the well 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.

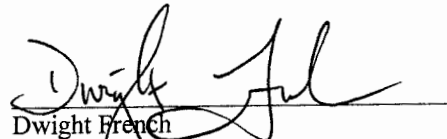
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered October 25, 2010, at Special Order Volume 82, Page 1175, approving Transfer Application 10008, supercedes Certificate 85815, State record of Water Right Certificates.

Issued JAN 27 2017



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