

STATE OF OREGON
COUNTY OF MULTNOMAH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRADLEY C FACKRELL
DIANE S FACKRELL
LAKESIDE GARDENS
12625 SE SHERMAN ST
PORTLAND OR 97223

confirms the right to the use of water perfected under the terms of Permit G-15139. 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-15259

SOURCE OF WATER: A WELL IN KELLY CREEK BASIN

PURPOSE or USE: IRRIGATION OF 3.004 ACRES, DOMESTIC USE FOR TWO HOUSEHOLDS AND MAINTENANCE OF TWO PONDS CONSTRUCTED UNDER APPLICATION R-84599, PERMIT R-13336, FOR FISH LIFE, WILDLIFE AND RECREATION

MAXIMUM RATE: 0.076 CUBIC FOOT PER SECOND (CFS); BEING 0.038 CFS FOR IRRIGATION, AND 0.028 CFS FOR FISH LIFE, WILDLIFE AND RECREATION, AND 0.01 CFS FOR DOMESTIC USE EXPANDED FOR TWO HOUSEHOLDS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR FISH LIFE, WILDLIFE AND RECREATION AND DOMESTIC USE EXPANDED

DATE OF PRIORITY: NOVEMBER 30, 2000

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 S	2 E	WM	13	SE SE	60	444 FEET NORTH AND 115 FEET WEST FROM SE CORNER, SECTION 13

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 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
1 S	2 E	WM	13	SE SE	60	2.388
1 S	2 E	WM	18	SW SW		0.048
1 S	2 E	WM	24	NE NE		0.568

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The well shall produce groundwater from no shallower than 150 feet below land surface.

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.

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 adequate 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.

Issued JUL 11 2017.



Dwight French
Water Rights Services Division Administrator, for
Thomas M. Byles, Director
Oregon Water Resources Department