

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J R SIMPLOT SELF DECLARATION REVOCABLE TRUST
PO BOX 27
BOISE, ID 83707

confirms the right to use the waters of FOUR WELLS in the CHEWAUCAN BASIN for IRRIGATION OF 261.6 ACRES.

This right was perfected under Permit G-15037. The date of priority is MAY 24, 2001. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.27 CUBIC FEET PER SECOND, IN ANY COMBINATION FROM THE FOUR WELLS (WELLS 1, 2, 3, AND 4), measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
33 S	19 E	WM	17	SW NW	WELL 1 - 2600 FEET SOUTH AND 50 FEET EAST FROM THE NW CORNER OF SECTION 17
33 S	19 E	WM	7	NE SE	WELL 2 - 1690 FEET NORTH AND 770 FEET WEST FROM THE SE CORNER OF SECTION 7
33 S	19 E	WM	8	SE NE	WELL 3 - 2048 FEET SOUTH AND 563 FEET WEST FROM THE NE CORNER OF SECTION 8
33 S	19 E	WM	8	NW NW	WELL 4 - 325 FEET SOUTH AND 4704 FEET WEST FROM THE NE CORNER OF SECTION 8

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

The period of use is March 1 through October 31.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
33 S	19 E	WM	6	SW SE	8.7
33 S	19 E	WM	6	SE SE	32.2
33 S	19 E	WM	7	NE NE	13.4
33 S	19 E	WM	7	NW NE	5.0
33 S	19 E	WM	7	SW NE	30.0
33 S	19 E	WM	7	SE NE	40.0
33 S	19 E	WM	7	NE SE	20.5
33 S	19 E	WM	7	NW SE	14.4
33 S	19 E	WM	8	NE NW	13.4
33 S	19 E	WM	8	NW NW	26.7
33 S	19 E	WM	8	SW NW	36.3
33 S	19 E	WM	8	SE NW	21.0
Total					261.6

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device 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; where a meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

To monitor the effect of water use from the well authorized under this right, the Director may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years;
or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements of WELL 1 will be compared is 20.61 feet below land surface.

The reference level against which any future measurements of WELL 2 will be compared is 68.63 feet below land surface.

The reference level against which any future measurements of WELL 3 will be compared is 60.67 feet below land surface.

The reference level against which any future measurements of WELL 4 will be compared is 71.17 feet below land surface.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/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, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The works shall be equipped with a usable access port, and may also include an airline 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.

This certificate describes that portion of the water right confirmed by Certificate 88583, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 14 2018, approving Transfer Application T-12386.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director, affixed NOV 14 2018.



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