

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRAD E. ALLEN  
BLANE E. ALLEN  
JAY ALLEN  
ANN ALLEN  
48748 MCCARTY BRIDGE RD  
NORTH POWDER OR 97867

confirms the right to the use of water perfected under the terms of Permit G-12023. 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-13229

SOURCE OF WATER: FOUR WELLS IN THE POWDER RIVER BASIN

PURPOSE or USE: SUPPLEMENTAL IRRIGATION OF 905.9 ACRES

MAXIMUM RATE: 6.7 CUBIC FEET PER SECOND (CFS), BEING 1.34 CFS FROM WELL 1, AND 1.78 CFS EACH FROM WELLS 2, 3, AND 4, OR ITS EQUIVALENT IN CASE OF ROTATION, MEASURED AT THE WELLS

DATE OF PRIORITY: DECEMBER 28, 1992 FOR WELLS 1, 2, AND 3, AND JANUARY 24, 1994 FOR WELL 4

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	39 E	WM	8	NE SW	WELL 2 - 2590 FEET NORTH AND 2590 FEET EAST FROM SW CORNER, SECTION 8
8 S	39 E	WM	9	NW SW	WELL 4 - 20 FEET SOUTH AND 800 FEET EAST FROM W 1/4 CORNER, SECTION 9
8 S	39 E	WM	15	NE NW	WELL 3 - 80 FEET SOUTH AND 80 FEET WEST FROM N 1/4 CORNER, SECTION 15
8 S	39 E	WM	17	SW NW	WELL 1 - 1420 FEET SOUTH AND 1220 FEET EAST FROM SW CORNER, 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 for each acre irrigated during the irrigation season of each year. Water may be appropriated when necessary for beneficial use in conjunction with the irrigation of their respective lands.

**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	Acres
8 S	39 E	WM	8	NE NE	38.2
8 S	39 E	WM	8	NW NE	39.1
8 S	39 E	WM	8	SW NE	40.0
8 S	39 E	WM	8	SE NE	39.1
8 S	39 E	WM	8	NE SW	40.0
8 S	39 E	WM	8	NW SW	39.1
8 S	39 E	WM	8	SW SW	38.5
8 S	39 E	WM	8	SE SW	40.0
8 S	39 E	WM	9	NE SW	40.0
8 S	39 E	WM	9	NW SW	39.1
8 S	39 E	WM	9	SW SW	39.1
8 S	39 E	WM	9	SE SW	40.0
8 S	39 E	WM	9	NE SE	40.0
8 S	39 E	WM	9	NW SE	40.0
8 S	39 E	WM	9	SW SE	40.0
8 S	39 E	WM	9	SE SE	40.0
8 S	39 E	WM	10	NW SW	39.1
8 S	39 E	WM	15	NE NW	38.2
8 S	39 E	WM	15	NW NW	40.0
8 S	39 E	WM	17	NE NW	40.0
8 S	39 E	WM	17	NW NW	39.1
8 S	39 E	WM	17	SW NW	38.2
8 S	39 E	WM	17	SE NW	39.1

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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director 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.

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

The water user shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user 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 reference

level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The reference levels against which any future measurements will be compared are 69.0 feet below land surface for Well 1, 31.42 feet below land surface for Well 2, 12.25 feet below land surface for Well 3, and 19.0 feet below land surface for Well 4.

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.

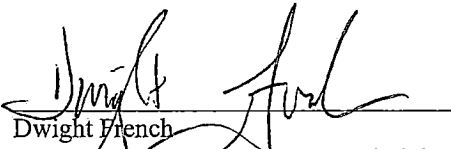
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

MAR 08 2019

Issued \_\_\_\_\_

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

