

STATE OF OREGON  
 COUNTY OF HARNEY  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WAYNE S. SMITH  
 MICHELE L. SMITH  
 53233 BEST LANE  
 RILEY OR 97758

confirms the right to the use of water perfected under the terms of Permit G-16487. 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-16625

SOURCE OF WATER: A WELL (HARN 51210) IN CHICKAHOMINY CREEK BASIN

PURPOSE AND PERIOD OF USE: IRRIGATION OF 147.4 ACRES, BEING IRRIGATION OF 25.4 ACRES FROM MARCH 1 THROUGH OCTOBER 31, IRRIGATION OF 122.0 ACRE FROM AUGUST 2 THROUGH OCTOBER 31, AND SUPPLEMENTAL IRRIGATION OF 122.0 ACRES MARCH 1 THROUGH AUGUST 1

MAXIMUM RATE: 1.84 CUBIC FEET PER SECOND (CFS), NOT TO EXCEED 1.49 CFS FOR SUPPLEMENTAL IRRIGATION USE

DATE OF PRIORITY: FEBRUARY 13, 2006

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	25 E	WM	10	NW NW	2 FEET SOUTH AND 1140 FEET EAST FROM NW CORNER, SECTION 10

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 and 2.5 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 3/1-10/31					
Twtp	Rng	Mer	Sec	Q-Q	Acres
23 S	25 E	WM	3	SW SE	15.8
23 S	25 E	WM	10	SW NW	1.8
23 S	25 E	WM	10	SE NW	7.8

**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.

SUPPLEMENTAL IRRIGATION 3/1-8/1					
PRIMARY IRRIGATION 8/2-10/31					
Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	25 E	WM	2	SW SW	6.6
23 S	25 E	WM	3	SE SE	36.6
23 S	25 E	WM	10	NE NW	32.5
23 S	25 E	WM	10	NW NW	23.1
23 S	25 E	WM	10	SW NW	9.4
23 S	25 E	WM	10	SE NW	13.8

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow 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.

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 interferences.

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 at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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 right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued AUG 09 2019.



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