

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VERL HOLDEN
10374 HAZEL GREEN RD NE
SILVERTON OR 97381

confirms the right to the use of water perfected under the terms of Permit G-11474. 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-12243

SOURCE OF WATER: TWO WELLS IN PUDDING RIVER BASIN

PURPOSE or USE: NURSERY OPERATIONS ON 36.4 ACRES

MAXIMUM RATE: 1.30 CUBIC FEET PER SECOND (CFS); BEING 0.70 CFS FROM WELL 1 AND 0.60 CFS FROM WELL 2, OR ITS EQUIVALENT IN CASE OF ROTATION, MEASURED AT THE WELLS

DATE OF PRIORITY: SEPTEMBER 26, 1990

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 S	1 W	WM	31	NE SE	WELL 1 - 2130 FEET NORTH AND 720 FEET WEST FROM SE CORNER, SECTION 31
6 S	1 W	WM	31	SE SE	WELL 2 - 800 FEET NORTH AND 620 FEET WEST FROM SE CORNER, SECTION 31

The amount of water used for Nursery Operations (OAR-690-11-010(17)) is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre-feet per acre per year. For the irrigation of **in-ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be at any time of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre 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	Acres
6 S	1 W	WM	31	SE NE	1.4
6 S	1 W	WM	31	NE SE	16.2
6 S	1 W	WM	31	SW SE	3.2
6 S	1 W	WM	31	SE SE	15.6

The water user shall maintain a meter or other suitable measuring device as approved by the Director and shall submit an annual report of water used to the Department.

Use of water from the well shall be controlled or shut off if limits specified in the permit to protect the resource from depletion and prior appropriators from interference are exceeded.

The Department shall determine, from measurements submitted by the water user, or other data on file in the Department, initial and subsequent water levels from which previously cited declines are referenced.

The water user shall measure the water levels in the wells each year between March 1 and March 31 (spring high water level), and submit the data to the Department within 90 days of measurement. Water level measurements shall be made by a Certified Water Rights Examiner, Licensed Water Well Driller, Licensed Pump Installer, Registered Geologist, Licensed Land Surveyor, Registered Professional Engineer, or the water user.

Use of water from southerly Well (well 2) shall not be allowed if the well(s) displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years; or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years; or (C) a water level decline of 25 or more feet; or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

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. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and shall keep a complete record of the amount of ground water withdrawn.

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 AUG 23 2019.



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

