

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES L. FLEISHMAN
KATHRYN FLEISHMAN
34466 BREWSTER RD
LEBANON OR 97355

confirms the right to the use of water perfected under the terms of Permit S-51923. 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.

SOURCE OF WATER: SOUTH SANTIAM RIVER AND WILLAMETTE BASIN PROJECT RESERVOIRS, UNDER PERMIT R-5363, TRIBUTARIES OF SANTIAM RIVER

PURPOSE OR USE: IRRIGATION OF 41.1 ACRES

MAXIMUM RATE: 0.51 CUBIC FOOT PER SECOND FROM RIVER, AND 92.2 ACRE-FEET STORED WATER ONLY

PERIOD OF USE: STORED WATER APRIL 1 TO SEPTEMBER 30 UNDER USBOR CONTRACT, LIVE STREAM FLOW: APRIL 1-30 AND OCTOBER 1-31

DATE OF PRIORITY: DECEMBER 23, 1992

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	2 W	WM	25	NE NW	SOUTH 83 DEGREES 15 MINUTES WEST, 148 FEET FROM N1/4 CORNER, SECTION 25

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
11 S	2 W	WM	25	NE NE	0.1
11 S	2 W	WM	25	NW NE	39.8
11 S	2 W	WM	25	SE NE	1.2

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11 S	2 W	WM	25	NE NW	SOUTH SANTIAM RIVER - SOUTH 47 DEGREES 30 MINUTES WEST, 625 FEET FROM N1/4 CORNER, SECTION 25

Measurement, recording, and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- 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.
- C. 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 use of water under this right is subject to the terms and conditions of Water Service Contract No. 5-07-10-W1082 or a satisfactory replacement between the Bureau of Reclamation and the water user, a copy of which is on file in the records of the Water Resources Department.

The water user shall operate and maintain the fish screen at the point of diversion consistent with Oregon Department of Fish and Wildlife (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

Notwithstanding the Oregon Department of Fish and Wildlife has made a determination that by-pass devices are not necessary at this time, the water user may be required in the future to install, maintain, and operate by-pass devices to prevent fish from entering the diversion, and to provide adequate upstream and downstream passage for fish.

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 the end.

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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered June 22, 2015, at Special Order Volume 96, Page 348, approving Transfer Application T-11980, supercedes Certificate 89407, State record of Water Right Certificates.

Issued SEP 27 2019.



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