

STATE OF OREGON
COUNTY OF CURRY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES A. BUSSMAN
PO BOX 211
SIXES OR 97476

confirms the right to the use of water perfected under the terms of Permit G-17500. 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-14631

SOURCE OF WATER: A WELL IN SUMMERS CREEK BASIN

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE OF THE GROUNDWATER AND STORED WATER: CRANBERRY USE ON 31.1 ACRES

MAXIMUM RATE: NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 0.25 CUBIC FOOT PER SECOND FOR STORAGE OR CRANBERRY USE

MAXIMUM VOLUME OF STORAGE: 74.0 ACRE-FEET EACH YEAR

PERIOD OF USE FROM GROUNDWATER AND/OR STORED WATER: YEAR ROUND

WATER MAY BE APPROPRIATED FROM STORAGE DURING THE PERIOD: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 3, 1997

POINT OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	15 W	WM	4	NW NW	POA 2 - 1430 FEET NORTH AND 340 FEET EAST FROM W1/4 CORNER, SECTION 4
32 S	15 W	WM	4	SW NW	RESERVOIR - 820 FEET NORTH AND 360 FEET EAST FROM W1/4 CORNER, SECTION 4

RESERVOIR LOCATION:

Twp	Rng	Mer	Sec	Q-Q
32 S	15 W	WM	4	SW NW

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.

The amount of water diverted for CRANBERRY OPERATIONS, together with amounts secured under any other rights existing for the same lands, is limited as follows: For temperature control, 0.15 cubic foot per second per acre; For flood harvesting or pest control, 0.05 cubic foot per second per acre; For irrigation of cranberries, ONE-FORTIETH of one cubic foot per second and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. For irrigation of any other crop, ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE AND AREA SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

CRANBERRY					
Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	15 W	WM	4	NW NW	15.6
32 S	15 W	WM	4	SW NW	15.5

Permit Amendment T-11966 Conditions

1. The quantity of water diverted at the new point of appropriation shall not exceed the quantity lawfully available at the original point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	15 W	WM	4	SW NW	809 FEET NORTH AND 287 FEET EAST FROM W1/4 CORNER, SECTION 4

2. The water user shall maintain the totalizing flow meter in good working order consistent with those standards identified in OAR 690-507-645 (1) through (3). The water user 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 permittee to report general water use information, including the place and nature of use of water under the permit.

The water user shall allow the watermaster access to the meter; provided however, where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director 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 permittee 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 permit. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If a well listed on this right (or replacement well) displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level established in the approved Groundwater Monitoring Plan on file with the Department, 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 10-foot decline level 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 permit.

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.

STANDARD GROUNDWATER USE CONDITIONS

The wells 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.

The Director may require water level or pump test results every ten years.

STANDARD RESERVOIR CONDITIONS

Use under this right is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining water level or maintaining a suitable fresh water condition.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

STANDARD CONDITIONS

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.

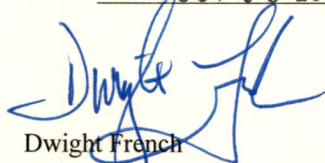
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 OCT 08 2019



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