

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SEVEN HILLS PROPERTIES LLC  
83501 LOWER DRY CREEK RD  
MILTON FREEWATER OR 97862

confirms the right to the use of water perfected under the terms of Permit G-16843. 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-17395

SOURCE OF WATER: WELL 3A (UMAT 55526), WELL 4A (UMAT 55523), WELL 4D (UMAT 56382), AND UMAT 50516 IN DRY CREEK BASIN

PURPOSE OR USE: STORAGE FOR IRRIGATION

MAXIMUM RATE: 16.82 CUBIC FEET PER SECOND (CFS), LIMITED TO NO MORE THAN 5.1 CFS FROM WELL 3A (UMAT 55526), 6.7 CFS FROM WELL 4A (UMAT 55523), 7.8 CFS FROM WELL 4D (UMAT 56382), AND 1.5 CFS FROM UMAT 50516 FOR STORAGE OF 58.47 ACRE FEET (AF) OF GROUND WATER, BEING 22.59 AF IN EAST BULGE, 6.64 AF IN FERGUSON BULGE, 8.42 AF IN MIDDLE BULGE, 13.20 AF IN WEST BULGE, AND 7.62 AF IN SOUTH BULGE

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JUNE 3, 2010

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	35 E	WM	3	SW SE	WELL 3A (UMAT 55526) - 1156 FEET NORTH AND 314 FEET EAST FROM S1/4 CORNER, SECTION 3
5 N	35 E	WM	4	NE SW	WELL 4A (UMAT 55523) - 415 FEET SOUTH AND 500 FEET WEST FROM C1/4 CORNER, SECTION 4
5 N	35 E	WM	4	NE SW	WELL 4D (UMAT 56382) - 375 FEET SOUTH AND 940 FEET WEST FROM C1/4 CORNER, SECTION 4
5 N	35 E	WM	4	NE NW	WELL UMAT 50516 - 930 FEET SOUTH AND 1355 FEET EAST FROM NW CORNER, SECTION 4

**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.

DAM LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	35 E	WM	3	SW SE	EAST BULGE - 1320 FEET NORTH AND 445 FEET EAST FROM S1/4 CORNER, SECTION 3
5 N	35 E	WM	10	NE NW	FERGUSON BULGE - 175 FEET SOUTH AND 680 FEET WEST FROM N1/4 CORNER, SECTION 10
5 N	35 E	WM	9	NE NE NWNE	MIDDLE BULGE - 145 FEET SOUTH AND 1320 FEET WEST FROM NE CORNER, SECTION 9
5 N	35 E	WM	5	NE SE NW SE	WEST BULGE - 1105 FEET SOUTH AND 1215 FEET WEST FROM E1/4 CORNER, SECTION 5
5 N	35 E	WM	8	NE SE	SOUTH BULGE - 1005 FEET SOUTH AND 110 FEET WEST FROM E1/4 CORNER, SECTION 8

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Reservoir
5 N	35 E	WM	3	NW SE	EAST BULGE
5 N	35 E	WM	3	SW SE	EAST BULGE
5 N	35 E	WM	5	NE SE	WEST BULGE
5 N	35 E	WM	5	NW SE	WEST BULGE
5 N	35 E	WM	8	NE SE	SOUTH BULGE
5 N	35 E	WM	9	NE NE	MIDDLE BULGE
5 N	35 E	WM	9	NW NE	MIDDLE BULGE
5 N	35 E	WM	10	NE NW	FERGUSON BULGE

Measurement, recording and reporting conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter at each point of appropriation.
- B. 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 water user to report general water-use information, including the place and nature of use of water under the right.
- C. The water user shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on this right. The static water level shall be measured in the time period of February 1 to March 31. Reports shall be submitted to the Department within 30 days of measurement. Annual measurements are required whether or not the well is used.

The water user shall report an annual measurement. Annual measurements are required whether or not the well is used. The reference levels (in feet below land surface) are as follows:

Well Number	Feet Below Land Surface	Date Established
WELL 3A (UMAT 55526)	359.80	MARCH 25, 2008
WELL 4A (UMAT 55523)	416.13	MARCH 15, 2008
WELL 4D (UMAT 56382)	419.30	FEBRUARY 18, 2010
WELL UMAT 50516	192.50	MARCH 23, 1998

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- (A) Associate each measurement with an owner's well name or number a Department well log ID; and
- (B) Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method of measurement; and
- (D) Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if any of the following events occur:

- (A) Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- (B) Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- (C) Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- (D) Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or 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 causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

The water user is required to pass all surface water for which a storage right does not exist. The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that surface-water flow is not impeded. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.

The water user shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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.

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 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 use may be restricted if the quality of downstream waters decreases to the the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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.

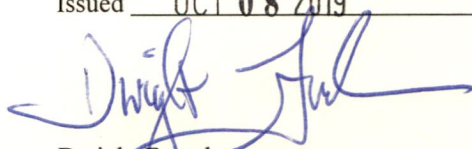
The Director may require water level or pump test results every ten years.

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 OCT 08 2019.



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