

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT SIMMONS  
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PO BOX 317  
SILVERTON OR 97381

confirms the right to the use of water perfected under the terms of Permit S-51540. 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: S-73346

SOURCE OF WATER: AN UNNAMED STREAM AND SIMMONS RESERVOIR, CONSTRUCTED UNDER APPLICATION R-73345, PERMIT R-11503, TRIBUTARIES OF BEAR CREEK

PURPOSE or USE: IRRIGATION OF 45.2 ACRES

MAXIMUM RATE: 0.5 CUBIC FOOT PER SECOND FROM LIVE FLOW AND 20.9 ACRE FEET OF WATER LEGALLY STORED

PERIOD OF ALLOWED USE: MARCH 1 THROUGH APRIL 30 FOR LIVE FLOW AND MARCH 1 THROUGH OCTOBER 31 FOR WATER LEGALLY STORED.

DATE OF PRIORITY: APRIL 16, 1993 FOR STORED WATER AND FEBRUARY 2, 1994 FOR LIVE FLOW

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	1 W	WM	20	NW NW	POD - 1071 FEET NORTH AND 820 FEET WEST FROM NE CORNER, DLC 48

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 for each acre irrigated 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	GLot	Acres
7 S	1 W	WM	20	SW NE		0.1
7 S	1 W	WM	20	NE NW		12.4
7 S	1 W	WM	20	NW NW		15.7
7 S	1 W	WM	20	SW NW	1	10.8
7 S	1 W	WM	20	SE NW	2	6.2

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 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.

Use under Permit R-11503 for recreation is limited to the reservoir area. This right does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water 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.

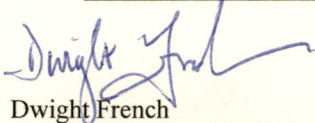
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Issued **FEB 05 2021**



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