

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILMER E. HAMMERICH
KIMBERLY D. HAMMERICH
18419 W LANGELL VALLEY RD
BONANZA OR 97623

NORTHWEST FARM CREDIT SERVICES, FLCA
300 KLAMATH AVE, STE 200
KLAMATH FALLS OR 97601-6308

confirms the right to the use of water perfected under the terms of Permit G-12459. 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-13011

SOURCE OF WATER: THREE WELLS IN THE LOST RIVER BASIN

PURPOSE or USE: IRRIGATION OF 20.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 981.2 ACRES

MAXIMUM RATE: 12.521 CUBIC FEET PER SECOND; FURTHER LIMITED 8.451 CFS, BEING 0.256 CFS FOR IRRIGATION AND 8.195 CFS FOR SUPPLEMENTAL IRRIGATION OF 655.7 ACRES, FROM WELL 1 AND WELL 2, EACH OR IN ANY COMBINATION; AND 4.07 CFS FROM WELL 3 FOR SUPPLEMENTAL IRRIGATION OF 325.5 ACRES.

PERIOD OF USE: APRIL 15 THROUGH OCTOBER 15

DATE OF PRIORITY: JUNE 29, 1992

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	13 E	WM	35	NE NE	366 FEET WEST AND 130 FEET SOUTH OF NE CORNER, SECTION 35
40 S	13 E	WM	35	NE SE	2340 FEET NORTH AND 140 FEET WEST OF SE CORNER, SECTION 35
41 S	13 E	WM	1	SE NE	2280 FEET SOUTH AND 390 FEET WEST OF NE CORNER, SECTION 1

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:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
40 S	13 E	WM	26	SE SE	20.50

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
40 S	13 E	WM	25	NE SW		39.0
40 S	13 E	WM	25	NW SW		38.0
40 S	13 E	WM	25	SW SW		38.0
40 S	13 E	WM	25	SE SW		38.0
40 S	13 E	WM	25	NE SE		34.3
40 S	13 E	WM	25	NW SE		40.0
40 S	13 E	WM	25	SW SE		40.0
40 S	13 E	WM	25	SE SE		34.3
40 S	13 E	WM	26	SE SE		19.5
40 S	13 E	WM	35	NE NE		13.4
40 S	13 E	WM	35	NE SE		12.4
40 S	13 E	WM	35	SE SE		10.6
40 S	13 E	WM	36	NE NE		34.3
40 S	13 E	WM	36	NW NE		40.0
40 S	13 E	WM	36	SW NE		40.0
40 S	13 E	WM	36	SE NE		32.3
40 S	13 E	WM	36	NE NW		40.0
40 S	13 E	WM	36	NW NW		37.6
40 S	13 E	WM	36	SW NW		34.0
40 S	13 E	WM	36	SE NW		40.0
40 S	13 E	WM	36	NE SE		32.4
40 S	13 E	WM	36	NW SE		39.0
40 S	13 E	WM	36	SW SE		38.2
40 S	13 E	WM	36	SE SE		34.0
41 S	13 E	WM	1	NE NE	1	32.7
41 S	13 E	WM	1	NW NE	2	34.9
41 S	13 E	WM	1	SW NE		37.0
41 S	13 E	WM	1	SE NE		29.6
41 S	13 E	WM	1	NE NW	3	8.8
41 S	13 E	WM	1	NE SE		17.4
41 S	13 E	WM	1	NW SE		21.5

Measurement, recording, and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurement to the Department annually by April 15, 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 this right.
- 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.

The well(s) 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 water user shall obtain a static water-level measurement for each well during March and October of each year and report the measurements to the Departments. The measurements shall be made by a certified water rights examiner, registered geologist, licensed land surveyor or registered professional engineer, licensed water well constructors, licensed water well drillers or the water user/appropriators. Water levels shall be reported as depth-to-water below ground level in feet and inches or to one-hundredth of a foot and shall be accompanied by supporting calculations. The water user shall report the static water levels(s) in the well(s) to the Groundwater/Hydrology Section of the Water Resources Department April 15 and November 15, respectively, of each year.

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.

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

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 29 2021.



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

