

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM J. STELLMACHER  
30416 STELLMACHER DR SW  
ALBANY, OR 97321

JOYCE M CARNEGIE  
1305 14<sup>TH</sup> AVE SW  
ALBANY OR 97321

confirms the right to use the waters of HORSESHOE LAKE AND WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-5363, TRIBUTARIES OF WILLAMETTE RIVER for IRRIGATION of 36.67 ACRES.

This right was perfected under Permit S-53335. The date of priority is MAY 6, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.44 CUBIC FOOT PER SECOND FROM LIVE FLOW AND NOT MORE THAN 104.8 ACRE-FEET (AF) PER YEAR FROM STORED WATER ONLY, PROVIDED THAT THE TOTAL VOLUME OF STORED WATER USED UNDER THIS PERMIT TOGETHER WITH ANY AMOUNT USED UNDER PERMIT 53334 DOES NOT EXCEED 104.8 AF PER YEAR, BEING THE AMOUNT OF STORED WATER MADE AVAILABLE UNDER THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
11 S	4 W	WM	15	SW SW	59	500 FEET NORTH AND 100 FEET EAST FROM THE SW CORNER OF SECTION 15

The amount of water used for irrigation, 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 to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
11 S	4 W	WM	15	NW SW	59	12.10
11 S	4 W	WM	15	SW SW	59	24.07
11 S	4 W	WM	16	NE SE		0.20
11 S	4 W	WM	16	SE SE		0.30
Total						36.67

Measurement, recording and reporting conditions:

- A. The water user shall maintain a meter or other suitable measuring device approved by the Director 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 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.
- 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.

Water user may pump directly from proposed point of diversion on Horseshoe Lake unless pumping causes substantial interference with more senior water right users and regulation occurs, then use must stop.

The water user shall maintain and operate fish screening and fishway passage as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The use of water under this right is subject to the terms and conditions of Contract No. 8-07-10-W1195 between the Bureau of Reclamation and the water user, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Department.

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.

This certificate describes that portion of water right Certificate 90098, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 26 2022, approving Transfer Application T-13512.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

**JAN 26 2022**

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_.



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Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department