

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JIM CATE
 CATE FARMS
 34750 SANTIAM HWY
 LEBANON OR 97355

confirms the right to the use of water perfected under the terms of Permit G-16028. 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 well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WELL 1 (LINN 57038) AND WELL 3 IN MILL CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 720.2 ACRES

MAXIMUM RATE: 2.53 CUBIC FEET PER SECOND (CFS); FURTHER LIMITED TO 2.53 CFS FROM WELL 1 AND 1.12 CFS FROM WELL 3, IN ANY COMBINATION NOT TO EXCEED 2.53 CFS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 20, 2004

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
11 S	2 W	WM	22	SE SW	55	WELL 1 (LINN 57038) ORIGINAL - 1132.2 FEET NORTH AND 1651.4 FEET EAST FROM SW CORNER, SECTION 22
11 S	2 W	WM	28	NW NE	55	WELL 3 ADDITIONAL - 135 FEET SOUTH AND 2200 FEET WEST FROM SE CORNER, SECTION 21

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 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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
11 S	2 W	WM	20	NE SE		55	1.2
11 S	2 W	WM	20	SE SE		55	5.2
11 S	2 W	WM	21	SW NE		50	2.5
11 S	2 W	WM	21	SW NW		50	19.0
11 S	2 W	WM	21	SE NW		50	23.2
11 S	2 W	WM	21	NE SW		50	29.0

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
11 S	2 W	WM	21	NE SW		55	11.0
11 S	2 W	WM	21	NW SW		55	10.5
11 S	2 W	WM	21	NW SW		50	22.8
11 S	2 W	WM	21	SW SW		55	39.0
11 S	2 W	WM	21	SE SW		55	37.0
11 S	2 W	WM	21	NW SE		50	14.0
11 S	2 W	WM	21	NW SE		55	10.0
11 S	2 W	WM	21	SW SE		55	36.4
11 S	2 W	WM	21	SE SE		55	4.2
11 S	2 W	WM	22	NE SW	3		1.9
11 S	2 W	WM	22	SE SW		56	4.7
11 S	2 W	WM	22	NE SE	1		12.3
11 S	2 W	WM	22	NE SE		49	6.5
11 S	2 W	WM	22	NW SE	2		14.2
11 S	2 W	WM	22	SW SE		56	39.8
11 S	2 W	WM	22	SE SE		56	7.3
11 S	2 W	WM	27	NE NE		56	6.0
11 S	2 W	WM	27	NW NE		56	37.6
11 S	2 W	WM	27	SW NE		58	20.7
11 S	2 W	WM	27	SW NE		56	4.4
11 S	2 W	WM	27	SE NE		58	12.9
11 S	2 W	WM	27	SE NE		56	0.8
11 S	2 W	WM	27	NE NW		56	4.5
11 S	2 W	WM	27	NE NW		55	22.5
11 S	2 W	WM	27	NW NW		55	17.0
11 S	2 W	WM	27	SW NW		55	9.7
11 S	2 W	WM	27	SE NW		55	8.2
11 S	2 W	WM	27	SE NW		56	0.7
11 S	2 W	WM	27	NE SE		58	5.3
11 S	2 W	WM	27	NW SE		58	10.7
11 S	2 W	WM	28	NE NE		55	31.0
11 S	2 W	WM	28	NW NE		55	36.7
11 S	2 W	WM	28	SW NE		55	13.7
11 S	2 W	WM	28	SE NE		55	12.8
11 S	2 W	WM	28	NE NW		55	38.1
11 S	2 W	WM	28	NW NW		55	39.9
11 S	2 W	WM	28	SW NW		55	14.0
11 S	2 W	WM	28	SE NW		55	14.4
11 S	2 W	WM	29	NE NE		55	5.2
11 S	2 W	WM	29	SE NE		55	1.7

The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring devices approved by the Director in good working order, at each point of appropriation (new and existing), 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 meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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 interference.

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.

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 the agreement.

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

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.

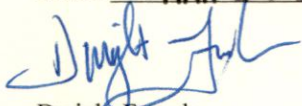
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered February 19, 2019, at Special Order Volume 112, Page 625, approving Transfer Application T-12756, supercedes Certificate 92933, State record of Water Right Certificates.

Issued MAR 25 2022



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

