

STATE OF OREGON  
 COUNTY OF HARNEY  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM S. PEILA  
 LORI PEILA  
 PO BOX 723  
 HINES OR 97738

confirms the right to the use of water perfected under the terms of Permit G-17928. 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-17677

SOURCE OF WATER: WELL 2 (HARN 1084), WELL 3, AND WELL 6 IN COTE SLOUGH BASIN

PURPOSE or USE: IRRIGATION OF 158.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 146.7 ACRES

MAXIMUM RATE: 5.3 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.62 CFS FOR WELL 2, 1.75 CFS FOR WELL 3, AND 1.85 CFS FOR WELL 6, OR IN ANY COMBINATION NOT TO EXCEED A CUMULATIVE TOTAL OF 5.3 CFS

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MAY 28, 2013

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	29 E	WM	28	NW SW	WELL 3 - 1262 FEET SOUTH AND 1280 FEET EAST FROM W1/4 CORNER, SECTION 28
25 S	29 E	WM	29	NE SW	WELL 2 - 1320 FEET EAST FROM W1/4 CORNER, SECTION 29
25 S	29 E	WM	29	SW SE	WELL 6 - 1525 FEET SOUTH AND 1370 FEET WEST FROM THE E1/4 CORNER, SECTION 29

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-SIXTIETH of one cubic foot per second and 3.0 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
25 S	29 E	WM	28	SW NW	1.2
25 S	29 E	WM	28	NE SW	35.0
25 S	29 E	WM	28	NW SW	37.5
25 S	29 E	WM	28	SW SW	35.5
25 S	29 E	WM	28	SE SW	32.5
25 S	29 E	WM	29	SE SE	16.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	29 E	WM	29	SW NW	30.3
25 S	29 E	WM	29	SE NW	30.7
25 S	29 E	WM	29	NE SW	28.8
25 S	29 E	WM	29	NW SW	28.8
25 S	29 E	WM	29	NE SE	23.8
25 S	29 E	WM	29	SE SE	4.3

Measurement, recording, and reporting conditions:

- A. The water user shall maintain, in good working order, the totalizing flow meter at each point of appropriation.
- B. The water user shall keep a complete record of the amount of water diverted each month, and shall submit a report which includes the recorded water-use measurement 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; provided however, where any meter or measuring device located within a private structure, the watermaster shall provide reasonable notice.

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 month of March. Reports shall be submitted to the Department within 30 days of measurement.

Annual measurements are required whether not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

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 submitted to the Department.

Any water use under this right, and from any well associated with this permit, is prohibited if any of the following events occur:

- A. Annual water-level measurements reveal a cumulative water-level decline of 15 or more feet; or
- B. Hydraulic interference leads to a decline of 10 or more feet in any neighboring well with senior priority.

The period of prohibited use shall continue until the Department finds that the water level rises above the decline level which triggered the prohibition and informs the water user that use may restart.

The water user shall construct one minimum six-inch diameter observation well to penetrate the same aquifer as the production wells. The well shall meet the Department's minimum well construction standards, and shall be cased and sealed to the same depth as the production wells. The well shall be constructed in a location approved by the Department for the purpose of instrumentation with continuous water-level monitoring equipment. The landowner or water user shall provide access to Department staff to install and maintain monitoring equipment. The well shall not be used for any other purpose while the Department is monitoring water levels.

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 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 use may be restricted if the quality of the downstream waters decreases to the point that those waters no longer meet 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.

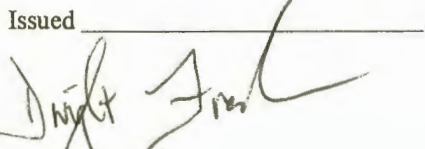
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

**DEC 16 2022**

Issued \_\_\_\_\_

  
Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department