

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRYER CREEK RANCH LLC
40791 SE SHOTGUN RD
POST OR 97752

confirms the right to the use of water perfected under the terms of Permit G-13781. 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: THREE WELLS IN THE CROOKED RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 45.0 ACRES

MAXIMUM RATE: 0.563 CUBIC FOOT PER SECOND (CFS), FURTHER LIMITED TO NO MORE THAN 0.563 FROM WELL #1, 0.563 CFS FROM WELL #2, AND 0.54 CFS FROM WELL #3 IN ANY COMBINATION BETWEEN THE WELLS

PERIOD OF USE: JUNE 1 THROUGH OCTOBER 15

DATE OF PRIORITY: MARCH 29, 1999

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
17 S	19 E	WM	2	NW NE	2	WELL 1 (ORIGINAL) - 1130 FEET SOUTH AND 2700 FEET EAST FROM NW CORNER, SECTION 2
17 S	19 E	WM	1	NW NW	4	WELL 2 (ADDITIONAL) - 50 FEET SOUTH AND 10 FEET EAST FROM NW CORNER, SECTION 1
17 S	19 E	WM	2	NW NW	4	WELL 3 (ADDITIONAL) - 80 FEET SOUTH AND 1120 FEET EAST FROM NW CORNER, SECTION 2

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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre 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 183.482. 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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	19 E	WM	2	NW NE	2	5.3
17 S	19 E	WM	2	SW NE		3.6
17 S	19 E	WM	2	SE NE		1.3
17 S	19 E	WM	2	NE SE		12.2
17 S	19 E	WM	2	NW SE		22.6

Measurement, recording and reporting conditions (Original Well):

- A. The water user shall maintain the meter or other suitable measuring device 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.

Water use measurement conditions (New/Additional Wells):

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each new point of appropriation.
- 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.
- 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.

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

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 interferences.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right, or as those quantities may be subsequently reduced.

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 to determine the water level elevation in the well at all times.

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 lands or place of use described.

This certificate is issued to confirm changes in ADDITIONAL POINTS OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered JUNE 21, 2018, at Special Order Volume 108, Page 655, approving Transfer Application T-12841, supersedes Certificate 87791, State Record of Water Right Certificates.

FEB 17 2023

Issued _____



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