

STATE OF OREGON  
 COUNTY OF MARION  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HERITAGE SEEDLINGS AND LINERS INC.  
 MARK KRAUTMANN  
 JOLLY KRAUTMANN  
 4194 71ST AVE SE  
 SALEM OR 97317

confirms the right to the use of water perfected under the terms of Permit S-53603. 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: S-84037

SOURCE OF WATER: WESTBROOK RESERVOIR CONSTRUCTED UNDER PERMIT R-12733, AN UNNAMED STREAM, AND WEAVER GULCH, TRIBUTARIES OF MILLER CREEK

PURPOSE or USE: IRRIGATION OF 139.9 ACRES, AND SUPPLEMENTAL IRRIGATION OF 16.7 ACRES

MAXIMUM VOLUME/RATE: 105.0 ACRE-FEET OF STORED WATER ONLY AND 0.65 CUBIC FOOT PER SECOND (CFS), BEING 0.32 CFS FROM UNNAMED STREAM AND 0.33 CFS FROM WEAVER GULCH

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FROM STORED WATER, AND MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31 FROM LIVE FLOW

DATE OF PRIORITY: JANUARY 15, 1999

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	3 W	WM	14	NW SW	42	WEAVER GULCH - 1500 FEET NORTH AND 1355 FEET EAST FROM SW CORNER, SECTION 14
9 S	3 W	WM	14	NW SE	42	WESTBROOK RESERVOIR - 2395 FEET NORTH AND 1675 FEET WEST FROM SE CORNER, SECTION 14-
9 S	3 W	WM	14	NW SE	42	UNNAMED STREAM - 1460 FEET NORTH AND 1410 FEET WEST FROM SE CORNER, SECTION 14

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	GLot	DLC	Acres
9 S	3 W	WM	14	NE NW		42	3.6
9 S	3 W	WM	14	NW NW		42	3.1
9 S	3 W	WM	14	SW NW		42	39.8
9 S	3 W	WM	14	SE NW		42	18.2
9 S	3 W	WM	14	NE SW		42	17.6
9 S	3 W	WM	14	NW SW		42	24.9
9 S	3 W	WM	14	SW SW		42	6.1
9 S	3 W	WM	14	SE SW		42	0.7
9 S	3 W	WM	14	NE SE		42	4.6
9 S	3 W	WM	14	NE SE	1		2.7
9 S	3 W	WM	14	NW SE		42	2.4
9 S	3 W	WM	14	SW SE		42	2.2
9 S	3 W	WM	14	SE SE		42	1.0
9 S	3 W	WM	15	NE NE		42	1.5
9 S	3 W	WM	15	SE NE		42	8.1
9 S	3 W	WM	15	NE SE		42	3.1
9 S	3 W	WM	15	SE SE		42	0.3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	3 W	WM	14	NE SW	42	1.5
9 S	3 W	WM	14	NW SW	42	1.2
9 S	3 W	WM	14	SW SW	42	1.9
9 S	3 W	WM	14	SE SW	42	3.0
9 S	3 W	WM	14	NW SE	42	7.3
9 S	3 W	WM	14	SW SE	42	1.8

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order. The water user 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; where a meter is located within a private structure, the watermaster shall request access upon reasonable notice.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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

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.

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

Issued **DEC 08 2023**



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