

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BAILEY NURSERIES, INC.

of Route 1, Box 9, Yamhill, State of Oregon 97148, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of an unnamed creek and reservoir constructed under Permit R-1407, and enlarged under Permits R-1560 and R-1761 a tributary of Chehalem River for the purpose of irrigation of 43.3 acres

under Permit No. 23676 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 21, 1954 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.54 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Bean DLC 41, Section 2, T3S, R3W, WM.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-1407, and enlarged under Permits R-1560 and R-1761

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

16.9 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Bean DLC 41
 6.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Bean DLC 41
 Section 2
 9.5 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Bean DLC 41
 10.9 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Bean DLC 41
 Section 11

Township 3 South, Range 3 West, WM

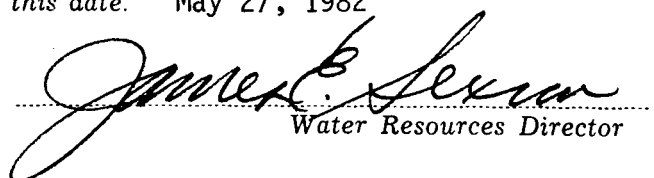
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 29000, Volume 21, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered November 13, 1981.

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 purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. May 27, 1982


 Water Resources Director