

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HUTCHCROFT WATER COMPANY
PO BOX 1299
MCMINNVILLE, OREGON 97128

SUPERSEDED BY
CERT. NO 88086

confirms the right to use the waters of HUTCHCROFT CREEK, a tributary of NORTH YAMHILL RIVER, for DOMESTIC USE FOR SEVEN FAMILIES AND IRRIGATION OF 9.2 ACRES.

This right was perfected under Permit 50952. The date of priority is SEPTEMBER 29, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.086 CUBIC FOOT PER SECOND (CFS) BEING: 0.01 CFS FOR DOMESTIC AND 0.076 CFS (34.0 GALLONS PER MINUTE (GPM)) FOR IRRIGATION FURTHER PROPORTIONED TO THE INDIVIDUAL USERS AS FOLLOWS: 7.1 GPM FOR A. MATTOS, 5.6 GPM FOR K. MOORE, 4.6 GPM FOR K. ORR, 11.2 GPM FOR R. THEIS, AND 5.5 GPM FOR M. NEWMAN, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 35, TOWNSHIP 2 SOUTH, RANGE 5 WEST, W.M.; 1660 FEET NORTH AND 530 FEET WEST FROM SE CORNER, SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall not exceed to ONE-EIGHTIETH of one cubic foot per second per acre, or its

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equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

A. MATTOS

SE 1/4 SW 1/4 0.20 ACRE
 SW 1/4 SE 1/4 1.30 ACRES & 1 DOMESTIC
 BOTH AS PROJECTED WITHIN E. BIDWELL DLC 37
 SECTION 36
 TOWNSHIP 2 SOUTH, RANGE 5 WEST, W.M.

R. THEIS

NW 1/4 NW 1/4 1.33 ACRES & 2 DOMESTICS
 AS PROJECTED WITHIN E. BIDWELL DLC 37
 SECTION 6
 TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

NE 1/4 NE 1/4 0.67 ACRE
 AS PROJECTED WITHIN E. BIDWELL DLC 37
 SECTION 1
 TOWNSHIP 3 SOUTH, RANGE 5 WEST, W.M.

M. NEWMAN

NW 1/4 NW 1/4 1.93 ACRES & 1 DOMESTIC
 SW 1/4 NW 1/4 0.07 ACRE
 BOTH AS PROJECTED WITHIN C. WOOD DLC 38
 SECTION 6
 TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

K. MOORE

NW 1/4 NE 1/4 2.00 ACRES & 1 DOMESTIC
 AS PROJECTED WITHIN C. WOOD DLC 38
 SECTION 1
 TOWNSHIP 3 SOUTH, RANGE 5 WEST, W.M.

K. ORR

SW 1/4 NE 1/4 1.60 ACRES & 2 DOMESTICS
 SE 1/4 NE 1/4 0.10 ACRE
 BOTH AS PROJECTED WITHIN C. WOOD DLC 38
 SECTION 1
 TOWNSHIP 3 SOUTH, RANGE 5 WEST, W.M.

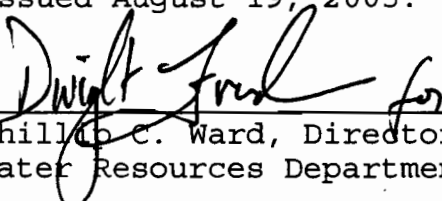
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

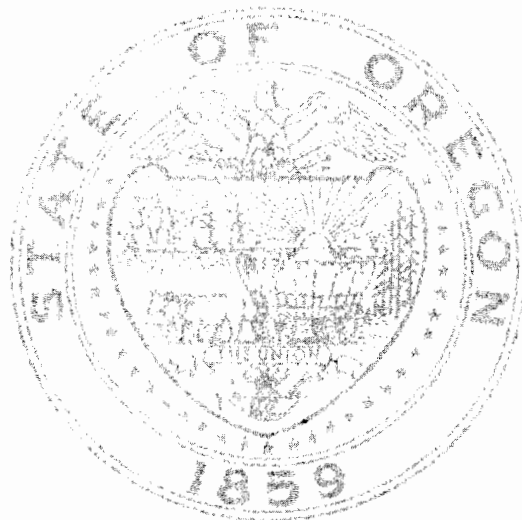
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued August 19, 2005.



Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81602.

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