

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HUTCHCROFT WATER COMPANY
PO BOX 1299
MCMINNVILLE, OREGON 97128

confirms the right to use the waters of HUTCHCROFT CREEK, a tributary of NORTH YAMHILL RIVER, for DOMESTIC USE FOR SIX FAMILIES AND IRRIGATION OF 7.2 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 0.072 CUBIC FOOT PER SECOND(CFS)BEING: 0.009 CFS FOR DOMESTIC AND 0.063 CFS (28.4 GALLONS PER MINUTE (GPM)) FOR IRRIGATION FURTHER PROPORTIONED TO THE INDIVIDUAL USERS AS FOLLOWS: 7.1 GPM FOR A. MATTOS, 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 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. 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.

This certificate describes that portion of the water right confirmed by Certificate 81602, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered October 24, 2005, approving Transfer Application 9931.

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 above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director,
affixed October 24, 2005.


FOR Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number 81652.