

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Glen Walters Nursery, Inc.
P. O. Box 280
Banks, Oregon 97106

Bernard and Darlene Seus
RT 3
Hillsboro Oregon 97123

confirms the right to use the waters of DAIRY CREEK AND RESERVOIR CONSTRUCTED UNDER PERMIT R-1854, a tributary of the TUALATIN RIVER, for IRRIGATION OF 65.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 8.8 ACRES.

This right was perfected under Permit S-24161. The date of priority is AUGUST 1, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.65 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twsp	Rng	Mer	Sec	Q-Q	DLC
1 N	3 W	WM	27	NE SE	50
1 N	3 W	WM	27	SE SE	50

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 per acre, or its equivalent for each acre irrigated, from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow of Dairy Creek and storage of reservoir constructed under Permit R-1854 on lands described as primary, and to the use of stored water only on the lands described as supplemental.

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

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. 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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	26	SW NW	50	16.2
1 N	3 W	WM	26	NW SW	50	9.0
1 N	3 W	WM	27	SE NE	50	20.9
1 N	3 W	WM	27	NE SE	50	19.3
1 N	3 W	WM	27	SE SE	50	0.1

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	26	NW SW	50	1.3
1 N	3 W	WM	26	SW SW	50	5.4
1 N	3 W	WM	27	NE SE	50	0.3
1 N	3 W	WM	27	SE SE	50	1.8

This certificate describes the corrected portion of the water right confirmed by Certificate 26173, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered September 14, 2006 approving Transfer Application 8919.

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 September 14, 2006.


Phillip C. Ward, Director