

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.

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SIMON NAGELY
PO BOX 203
YAMHILL, OREGON 97148

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of NORTH YAMHILL RIVER, for IRRIGATION OF 1.3 ACRES.

This right was perfected under Permit 19523. The date of priority is MAY 29, 1950. This right is limited to 0.02 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NW 1/4, AS PROJECTED WITHIN DLC 42, SECTION 4, T 3 S, R 4 W, W.M.; 1750 FEET SOUTH AND 1250 FEET EAST FROM THE NW CORNER, SECTION 4.

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

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

SW 1/4 NW 1/4 1.3 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 27
TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

T-5657.JWG

Certificate Number 82842

Land on which water is to be used is part of that described as follows:

Section 4, T 3 S, R 4 W, W.M. Part of T. C. Davis DLC. Beginning in center of county road at a point 28.21 chains S. & 9.75 chains W. of NE corner said DLC; thence N. $1/4^\circ$ W. 9.92 chains; thence $89\ 1/2^\circ$ W. 8.02 chains; thence S. $3/4^\circ$ W. 9.87 chains to center of county road. Thence S. $89^\circ\ 25\ \text{ft.}$, E. 8.16 chains to beginning. Containing 8 acres.

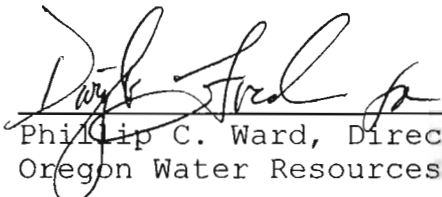
The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

This certificate is issued to confirm a change in the PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 5, 1985, approving Transfer Application 5657, and supersedes Certificate 22488, State Record of Water Right Certificates.

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. 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.

WITNESS the signature of the Water Resources Director, affixed

NOV 28 2006



Philip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82842.

T-5657.JWG