

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

CARLTON PLANTS
P.O. BOX 398
DAYTON, OREGON 97114-0398

confirms the right to use the waters of WILLAMETTE RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 36.9 ACRES.

This right was perfected under Permit 28613. The date of priority is FEBRUARY 7, 1963. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.46 CUBIC FEET PER SECOND, if lawfully available at the original point of diversion: LOT 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), SECTION 22, T 4 S, R 3 W, W.M.; 1440 NORTH AND 550 FEET EAST FROM THE SE CORNER OF GOODRICH DLC 49, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LAMBERT SLOUGH: LOT 2 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 34, T 5 S, R 3 W, W.M.; 1600 FEET SOUTH AND 510 FEET EAST FROM NE CORNER, MATHENY DLC 38.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited 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 $\frac{1}{2}$ acre-feet for each acre irrigated during the irrigation season of each year.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

T-8741 (T-7190/PERMIT 28613)

Certificate Number 83487

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

SW 1/4 SW 1/4 3.6 ACRES
AS PROJECTED WITHIN MATHENY DLC 38
SECTION 27

NE 1/4 NE 1/4 18.8 ACRES
AS PROJECTED WITHIN MATHENY DLC 38
SECTION 33

NW 1/4 NW 1/4 14.5 ACRES
AS PROJECTED WITHIN MATHENY DLC 38
SECTION 34
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

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

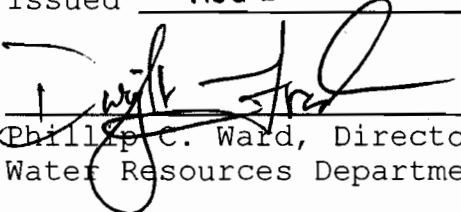
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall install and maintain a fish screen or by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to construction and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm a CHANGE IN PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered May 8, 2002, approving Transfer Application 8741, and supercedes Special Order Volume 53, Page 568, entered April 7, 1999, approving Transfer Application 7190, State Record of Water Right Certificates and Orders.

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.

Issued **AUG 24 2007** .



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83487.
T-8741 (T-7190/PERMIT 28613)