

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VINCENT RIGERT
 21800 SW MURPHY LANE
 ALOHA OR 97007

confirms the right to use the waters of an UNNAMED STREAM and RESERVOIR, CONSTRUCTED UNDER PERMIT R-11201, TRIBUTARIES OF THE TUALATIN RIVER, for NURSERY OPERATIONS on 8.3 ACRES.

This right was perfected under Permit 50943. The date of priority is NOVEMBER 7, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 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:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
1 S	2 W	WM	23	SE NW			1390 FEET SOUTH & 2320 FEET EAST FROM NW CORNER, SECTION 23

The amount of water used for Nursery Operations is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second, or its equivalent, for each acre irrigated, and 5.0 acre-feet per acre per year. For the irrigation of **in-ground nursery plants**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second, or its equivalent, and 2.5 acre feet per acre per year. The use of water for Nursery Operations may be at any time of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTEITH of one cubic foot per second, or its equivalent, and 2.5 acre feet per acre during the irrigation season of each year.

This right is further conditioned that water shall not be appropriated from natural flows of the unnamed stream during the period from June 30 through September 15 of each year.

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

NURSERY USES							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 S	2 W	WM	23	NE NW			3.7

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. 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.

NURSERY USES							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 S	2 W	WM	23	SE NW			4.6


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.

This right is for the beneficial use of water without waste. 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 of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued APR 18 2008


 Phillip C. Ward, Director
 Water Resources Department