

STATE OF OREGON
 COUNTY OF YAMHILL
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARLTON NURSERY, LLC
 PO BOX 398
 DAYTON OR 97114

confirms the right to use the waters of A WELL, in the PALMER CREEK BASIN, for IRRIGATION of 19.4 ACRES.

This right was perfected under Permit G-5442. The date of priority is DECEMBER 9, 1971. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.24 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
5 S	3 W	WM	9	NW SW	51	1880 FEET NORTH & 920 FEET EAST FROM SW CORNER, SECTION 9

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 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.

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

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	9	SE NW	53	19.4

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

SUPERSEDED BY
CERT. NO. 91982
T-10735

Cancelled due to
 T-10735; Sp. Or.
 Vol 80 P. 651

NOTICE OF RIGHT TO 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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JULY 14, 2004, at Special Order Volume 60, Page 518, approving Transfer Application 9674, and supercedes Certificate 50649, 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.

Issued SEP 18 2008


Phillip C. Ward, Director