

STATE OF OREGON
 COUNTY OF CLACKAMAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY INC.
 30590 SE KELSO RD
 BORING OR 97009

confirms the right to store the waters of an unnamed drainage way (POD 1) with any deficiency in supply to be made up by diversion of water from a drainage way (POD 2) with any deficiency in supply of water available from the drainage ways to be made up by appropriation from Tickle Creek (POD 3), to be appropriated under Permit 48577, for container nursery stock.

The right to store these waters was perfected under Reservoir Permit R-9901. The date of priority is July 23, 1984. The amount of water entitled to be stored each year under this right is not more than 45.4 acre-feet.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2	2 S	4 E	WM	8	NW NW	60 FEET SOUTH & 565 FEET EAST FROM THE NW CORNER, SECTION 8
1	2 S	4 E	WM	8	SE NW	1255 NORTH & 1160 WEST FROM THE C1/4 CORNER, SECTION 8
3	2 S	4 E	WM	8	SE SW	645 FEET NORTH & 1345 FEET EAST FROM THE SW CORNER, SECTION 8

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
2 S	4 E	WM	8	SW NW		
2 S	4 E	WM	8	SE NW		

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.


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.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

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 JUN 16 2009


Phillip C. Ward, Director
Water Resources Department