

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

F. JOHN RISSBURGER
22120 BUTTEVILLE RD NE
AURORA OR 97002

confirms the right to use the waters of WELLS 1 AND 2 for NURSERY USE on 40.0 ACRES.

This right was perfected under Permit G-5574. The date of priority is JUNE 16, 1972. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.5 CUBIC FOOT PER SECOND, (IF AVAILABLE AT THE ORIGINAL WELL LOCATED NW¼ SE¼, AS PROJECTED WITHIN DLC 43, SECTION 8, TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.; 1780 FEET NORTH AND 870 FEET EAST FROM THE S¼ CORNER, SECTION 8), or its equivalent in case of rotation, measured at the wells.

The use of water for nursery use shall be limited to 0.5 cubic foot per second (cfs) being 0.177 cfs from WELL 1 and 0.5 cfs from WELL 2, in any combination and shall not exceed 100.0 acre feet during the irrigation season, March 1 to October 31, of each year. This right in combination with Certificate 85953 shall not exceed a total instantaneous diversion of 0.774 cfs from WELL 2 (MARI 53183).

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1	4 S	1 W	WM	8	SE NW	42	70 FEET NORTH & 2130 FEET EAST FROM W1/4 CORNER, SECTION 8
2	4 S	1 W	WM	8	SE NW	42	590 FEET NORTH & 2030 FEET EAST FROM W1/4 CORNER, SECTION 8

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 diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre during the season of March 1 to October 31 of each 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 made during the season of March 1 to October 31 of each year. For the irrigation of **any other crop**, 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 during the season of March 1 to October 31 of each year.

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.

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

NURSERY USES						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	1 W	WM	8	SW NE	42	20.0
4 S	1 W	WM	8	SE NE	42	6.1
4 S	1 W	WM	8	SE NW	42	9.9
4 S	1 W	WM	8	NE SW	42	2.7
4 S	1 W	WM	8	NW SE	42	1.3

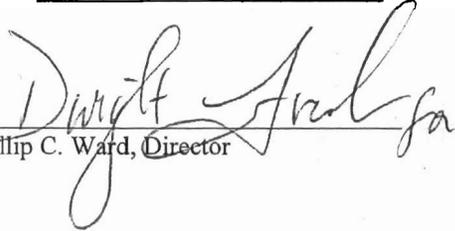
The water user shall maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated.

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 CHARACTER OF USE approved by an order of the Water Resources Director entered April 14, 2005, at Special Order Volume 64, Page 162, approving Transfer Application T-8988, and supersedes Certificate 76413, 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 DEC 09 2009


Phillip C. Ward, Director