

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DON MARJAMA
LE'ANN MARJAMA
DON MARJAMA NURSERY CO, INC
11641 SE BLUFF RD
SANDY OR 97055

NORTHWEST FARM CREDIT SERVICES FLCA
PO BOX 13309
SALEM OR 97306

confirms the right to store water perfected under the terms of Permit R-11751. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-71530

SOURCE: IRRIGATION RUNOFF AND WATERS OF BEAR CREEK, A TRIBUTARY OF SANDY RIVER

STORAGE FACILITY: RESERVOIR 1 AND RESERVOIR 2

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-71531, PERMIT S-52081, FOR IRRIGATION (GENERAL NURSERY OPERATIONS)

MAXIMUM STORAGE VOLUME: 10.35 ACRE-FEET (AF), BEING 1.25 AF IN RESERVOIR 1 AND 9.1 AF IN RESERVOIR 2

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: DECEMBER 1 THROUGH FEBRUARY 28 AND APRIL 1 THROUGH APRIL 30

DATE OF PRIORITY: APRIL 25, 1991

The dam locations are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	4 E	WM	35	SE NW	RESERVOIR 1 (LITTLE POND) - 962 FEET NORTH AND 124 FEET WEST FROM C1/4 CORNER, SECTION 35
1 S	4 E	WM	35	SE NW	RESERVOIR 2 (BIG POND) - 970 FEET NORTH AND 565 FEET WEST FROM C1/4 CORNER, SECTION 35

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
1 S	4 E	WM	35	SE NW

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device as approved by the Director in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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 plans.

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.

The right store water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued MAR 13 2015.


Dwight Finch
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department