

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARK VAN HOEF
CAROLYN VAN HOEF
5380 SE BOOTH BEND ROAD
MCMINNVILLE OR 97128

confirms the right to use the waters of SOUTH YAMHILL RIVER, a tributary of YAMHILL RIVER and NURSERY RESERVOIR to be constructed under PERMIT R-11149 for NURSERY USE ON 56.3 ACRES.

This right was perfected under Permit S-50713. The date of priority is SEPTEMBER 23, 1988. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 7.22 CUBIC FEET PER SECOND (CFS); being further limited to 3.55 CFS from SOUTH YAMHILL RIVER, and 3.67 CFS from NURSERY RESERVOIR or its equivalent in case of rotation, measured at the point of diversion.

Diversion from the river for beneficial uses will be further limited as follows: during the period of November 1 to June 30 the rate of diversion would be limited to 0.56 cfs for nursery uses and up to 3.55 cfs for temperature control. From July 1 through July 31, the rate of diversion would be limited to 0.34 cfs for irrigation only. From August 1 through October 31, direct flow would not be allowed; the water user can use stored water only.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	28	NW SE	73	RIVER: 100 FEET SOUTH AND 700 FEET EAST FROM NORTH ANGLE CORNER, FORD DLC 73
4 S	4 W	WM	33	NW NE	73	NURSERY RESERVOIR: 270 FEET SOUTH AND 1800 FEET WEST FROM NE CORNER, SECTION 33

A description of the place of use is as follows:

NURSERY OPERATIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	28	NE SW	73	3.2
4 S	4 W	WM	28	SE SW	73	6.0
4 S	4 W	WM	28	NW SE	73	12.3
4 S	4 W	WM	28	SW SE	73	26.5
4 S	4 W	WM	33	NW NE	73	6.2
4 S	4 W	WM	33	NE NW	73	2.1

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.

If used for field irrigation for nursery stock, such use is not restricted to the defined agricultural irrigation season.

The water user shall maintain and operate fish screening and fishway 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.

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

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.

JUL 24 2015

Issued _____.



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