

**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.

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

WEST OREGON NURSERY INC.  
14515 NW SPRINGVILLE RD  
PORTLAND OR 97229

confirms the right to store the waters of UNNAMED INTERMITTENT STREAMS, tributaries of ROCK CREEK, in RESERVOIR 1 AND RESERVOIR 2, appropriated under PermitS- 52987, for IRRIGATION OF 34.7 ACRES AND AGRICULTURAL USE.

The right to store and use these waters was perfected under Reservoir Application R-74449. The date of priority is JANUARY 1, 1993. The amount of water entitled to be stored and used each year under this right is not more than 25.7 ACRE-FEET (AF), BEING 22.0 AF IN RESERVOIR 1 AND 3.7 AF IN RESERVOIR 2.

The reservoirs are located as follows:

RESERVOIR 2  
LOT 4 (SW NE)

RESERVOIR 1  
LOT 6 (NE SE)

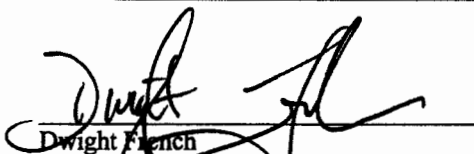
SECTION 17  
TOWNSHIP 1 NORTH, RANGE 1 WEST, W.M.

ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program Coordinator, 4034 Fairview Industrial Dr. SE, Salem, OR 97302. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination. If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish Screening Program Coordinator, 4034 Fairview Industrial Dr. SE, Salem, OR 97302.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, with a minimum diameter of 8", or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

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

Issued JUN 10 2016.



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