

STATE OF OREGON
 COUNTY OF YAMHILL
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARLTON NURSERY LLC
 PO BOX 398
 DAYTON OR 97114

confirms the right to the use of water perfected under the terms of Permit G-12154. 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 well. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A WELL WITHIN THE WILLAMETTE RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 20.6 ACRES AND AGRICULTURAL USE (ORCHARD SPRAYING)

MAXIMUM RATE: LIMITED TO NOT MORE THAN 0.03 CFS FOR IRRIGATION AND 2080.8 GPD FOR AGRICULTURAL USE (ORCHARD SPRAYING)

PERIOD OF USE: IRRIGATION: MARCH 1 THROUGH OCTOBER 31; AGRICULTURAL USE: YEAR ROUND

DATE OF PRIORITY: APRIL 4, 1991 FOR 0.02 CUBIC FOOT PER SECOND (CFS) FOR IRRIGATION; SEPTEMBER 15, 1992 FOR 0.01 CFS FOR IRRIGATION; SEPTEMBER 15, 1992 FOR 2080.8 GALLONS PER DAY (GPD) FOR AGRICULTURAL USE

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	28	SE SW	38	1200 FEET NORTH AND 265 FEET EAST FROM NE CORNER, DLC 60

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	3 W	WM	28	SE SW	38	13.9
5 S	3 W	WM	28	SW SE	38	6.7

AGRICULTURAL USE (ORCHARD SPRAYING)						
Twp	Rng	Mer	Sec	Q-Q	DLC	
5 S	3 W	WM	28	SE SW	38	
5 S	3 W	WM	28	SW SE	38	

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	33	NE NW	38	35 FEET NORTH AND 310 FEET EAST FROM NE CORNER, DLC 60

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 well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The Director may require water levels or pump test results every ten years.

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 plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION AND PARTIAL DIMINISHMENT OF A WATER RIGHT approved by an order of the Water Resources Director entered May 21, 2009, at Special Order Volume 77, Page 922, approving Transfer Application 9812, and together with Certificate 87098, supercedes Certificate 81498, State record of Water Right Certificates.

Issued SEP 16 2016



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