

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACKSON FAMILY INVESTMENTS III LLC  
421 AVIATION BLVD  
SANTA ROSA CA 95403

confirms the right to the use of water perfected under the terms of Permit S-54234. 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 FILE NUMBER: S-86050

SOURCE OF WATER: LIVE FLOW FROM AN UNNAMED STREAM AND AN UNNAMED DITCH; TWO TANKS CONSTRUCTED UNDER PERMIT R-14074, POND B CONSTRUCTED UNDER PERMIT R-14075, POND I CONSTRUCTED UNDER PERMIT R-14076, AND POND H CONSTRUCTED UNDER PERMIT R-14077; TRIBUTARIES OF PANTHER CREEK

PURPOSE OR USE:

LIVE FLOW: MAINTENANCE OF RESERVOIRS CONSTRUCTED UNDER PERMITS R-14074, R-14075, R-14076, R-17077, AND R-14241 FOR COMMERCIAL USE FOR CUSTOMARILY DOMESTIC PURPOSES

PONDS B, H AND I: COMMERCIAL USE, AGRICULTURE USE, RECREATION USE, AND IRRIGATION USE ON 195.4 ACRES

TANKS: COMMERCIAL USE, AGRICULTURE USE, AND IRRIGATION USE ON 195.4 ACRES

MAXIMUM AMOUNTS:

LIVE FLOW: 0.01 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FROM POD 1 (UNNAMED STREAM) AND 0.01 CFS FROM POD 2 (UNNAMED DITCH), MAXIMUM CUMULATIVE TOTAL NOT TO EXCEED 0.01 CFS FROM POD 1 AND POD 2 IN ANY COMBINATION, AT ANY TIME

PONDS/TANKS: 26.93 ACRE FEET (AF), BEING 9.1 AF EACH IN POND B AND POND H, 8.7 AF IN POND I, AND 0.03 AF IN TWO TANKS

**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.

PERIOD OF USE:

IRRIGATION USE: APRIL 1 THROUGH SEPTEMBER 30 OF EACH YEAR

COMMERCIAL USE (FROM PONDS B, I, AND H AND TANKS), AGRICULTURE USE, AND RECREATION USE:  
YEAR ROUND

COMMERCIAL USE FOR CUSTOMARILY DOMESTIC PURPOSES FROM LIVE FLOW: DECEMBER 1  
THROUGH APRIL 30 OF EACH YEAR

DATE OF PRIORITY: JULY 14, 2004

POINTS OF DIVERSION LOCATIONS:

POD	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
1 – Unnamed Stream	3 S	5 W	WM	24	SW NE	41	1720 FEET SOUTH AND 3090 FEET EAST FROM NW CORNER, SECTION 24
2 – Unnamed Ditch	3 S	5 W	WM	24	NE SW	53	2760 FEET SOUTH AND 1570 FEET EAST FROM NW CORNER, SECTION 24
4 – Pond H	3 S	5 W	WM	24	SE SW	53	3990 FEET SOUTH AND 1260 FEET EAST FROM NW CORNER, SECTION 24
5 – Pond B	3 S	5 W	WM	24	SE NW	53	1440 FEET SOUTH AND 2000 FEET EAST FROM NW CORNER, SECTION 24
6 – Pond I	3 S	5 W	WM	23	NE NE	53	40 FEET SOUTH AND 130 FEET WEST FROM NW CORNER, SECTION 24
7 – Two Tanks	3 S	5 W	WM	13	SE SW	53	410 FEET NORTH AND 1420 FEET EAST FROM SW CORNER, SECTION 13

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 and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE FOR COMMERCIAL USE, AGRICULTURE USE, RECREATION USE AND IRRIGATION USE FROM POD 4 (POND H), POD 5 (POND B), AND POD 6 (POND I) ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Source (Pond)
3 S	5 W	WM	14	SE SE	53	4.6	Pond I - 4.6 acres
3 S	5 W	WM	23	NE NE	53	5.9	Pond I
3 S	5 W	WM	24	SW NE	41	0.4	Pond B
3 S	5 W	WM	24	NE NW	53	1.0	Pond I
3 S	5 W	WM	24	NE NW	53	0.1	Pond B
3 S	5 W	WM	24	NW NW	53	22.5	Pond I
3 S	5 W	WM	24	SW NW	53	1.9	Pond I
3 S	5 W	WM	24	SW NW	53	17.3	Pond B
3 S	5 W	WM	24	SE NW	41	4.2	Pond B
3 S	5 W	WM	24	SE NW	53	15.2	Pond B
3 S	5 W	WM	24	NE SW	41	8.3	Pond H – 7.7 acre, Pond B – 0.6 acre
3 S	5 W	WM	24	NE SW	53	2.7	Pond B
3 S	5 W	WM	24	NE SW	53	10.5	Pond H
3 S	5 W	WM	24	NW SW	53	1.5	Pond B
3 S	5 W	WM	24	NW SW	53	10.3	Pond H
3 S	5 W	WM	24	SW SW	53	3.6	Pond H
3 S	5 W	WM	24	SE SW	53	8.4	Pond H
3 S	5 W	WM	24	SE SW	41	8.3	Pond H
3 S	5 W	WM	24	NW SE	41	0.5	Pond H
3 S	5 W	WM	24	SW SE	41	0.5	Pond H

THE PLACE OF USE FOR COMMERCIAL USE, AGRICULTURE USE, AND IRRIGATION USE FROM POD 7 IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Source
3 S	5 W	WM	13	SW SW	53	27.2	Tanks
3 S	5 W	WM	13	SE SW	53	9.1	Tanks
3 S	5 W	WM	13	SE SW	41	6.1	Tanks
3 S	5 W	WM	13	SW SE	41	3.7	Tanks
3 S	5 W	WM	14	SE SE	53	11.7	Tanks
3 S	5 W	WM	24	NE NW	41	0.5	Tanks
3 S	5 W	WM	24	NE NW	53	7.8	Tanks
3 S	5 W	WM	24	NW NW	53	1.6	Tanks

PLACE OF USE FOR POD 1 (UNNAMED STREAM) AND POD 2 (UNNAMED DITCH) – MAINTENANCE OF RESERVOIRS FOR COMMERCIAL USE, AGRICULTURE USE, AND RECREATION USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	DLC	Source (Pond)
3 S	5 W	WM	13	SE SW	53	Tanks
3 S	5 W	WM	23	NE NE	53	Pond I
3 S	5 W	WM	24	SE NW	53	Pond B
3 S	5 W	WM	24	SW SW	53	Pond H
3 S	5 W	WM	24	NW SE	41	Pond G
3 S	5 W	WM	24	SW SE	41	Pond G

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- 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.

The water user shall maintain and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to the agreement.

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.

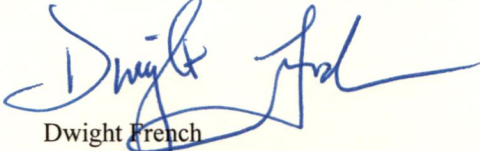
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

Issued SEP 24 2019.



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