

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BROADMEAD LLC
11120 MCCANN RD
AMITY, OR 97101

confirms the right to use the waters of SALT CREEK and A RESERVOIR, constructed under Permit R-12635, tributaries to SOUTH YAMHILL RIVER for NURSERY USES of 20.75 ACRES.

This right was perfected under Permit S-53555. The date of priority is SEPTEMBER 10, 1996. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.0 CUBIC FOOT PER SECOND, in case of rotation, AND 17.5 ACRE FEET measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	5 W	WM	11	SE SW	47	POD 1: 2228 FEET NORTH & 1405 FEET EAST FROM SW CORNER, JOHN EADES DLC 47
6 S	5 W	WM	11	SW SW	47	POD 2: 2495 FEET NORTH & 283 FEET EAST FROM SW CORNER, JOHN EADES DLC 47

The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of **containerized nursery plants**, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of **in ground nursery plants** the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of **any other crop**, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

The period of allowed use: **Stored Water** – year-round,

Live Flow - (Salt Creek) November 1 through April 30

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	5 W	WM	11	NE SW	47	0.70
6 S	5 W	WM	11	NW SW	47	10.95
6 S	5 W	WM	11	SW SW	47	7.60
6 S	5 W	WM	11	SE SW	47	0.60
6 S	5 W	WM	14	NW NW	47	0.90
Total						20.75

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other measuring device 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 as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The use may be restricted if the quality of the source stream, namely the Yamhill River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

This certificate describes the portion of Certificate 87956 NOT modified by an order of the Water Resources Director recorded in Special Order Volume 114, Page 314 approving a partial cancellation. This certificate supersedes Certificate 87956.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director, affixed NOV 13 2019.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director

