

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID VAN ESSEN  
LEANNE VAN ESSEN  
TRUSTEES OF THE VAN ESSEN FAMILY LIVING TRUST  
39161 RIVER DR  
LEBANON OR 97355

confirms the right to the use of water perfected under the terms of Permit S-44386. 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(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: SOUTH SANTIAM RIVER, A TRIBUTARY OF SANTIAM RIVER

PURPOSE OR USE: NURSERY USES ON 9.1 ACRES

MAXIMUM RATE AND DUTY: 0.11 CUBIC FOOT PER SECOND (CFS) A DUTY OF 2.5 ACRE-FEET (AF) PER ACRE AND SHALL NOT EXCEED A TOTAL QUANTITY OF 22.75 AF DURING THE TIME PERIOD OF APRIL 1 THROUGH SEPTEMBER 30 OF EACH YEAR

DATE OF PRIORITY: AUGUST 20, 1979

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	1 W	WM	19	SE SE	39	POD #2 (NEW) - 1170 FEET NORTH AND 290 FEET WEST FROM SE CORNER, SECTION 19

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NURSERY USES						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	1 W	WM	19	SE SE	39	6.1
12 S	1 W	WM	30	NE NE	39	3.0

**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 diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

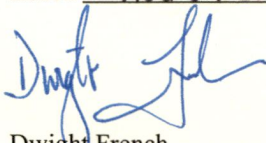
Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	1 W	WM	29	NW NE	57	ORIGINAL POD - 240 FEET SOUTH AND 500 FEET EAST FROM N 1/4 CORNER, SECTION 29

The water user shall operate and maintain the fish screen at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

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

This certificate is issued to confirm changes in POINT OF DIVERSION, PLACE OF USE, AND CHARACTER OF USE approved by an order of the Water Resources Director entered FEBRUARY 8, 2016, at Special Order Volume 98, Page 735, approving Transfer Application T-12006, and together with Certificate 91213, supersedes Certificate 64160, State Record of Water Right Certificates.

Issued AUG 07 2020.



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