

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRENT SMITH  
OREGON ROOTSTOCK AND TREE INC  
PO BOX 98  
WOODBURN OR 97071

confirms the right to the use of water perfected under the terms of Permit G-8856. 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(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: THREE WELLS IN PUDDING RIVER BASIN BASIN

PURPOSE OR USE: YEAR-ROUND IRRIGATION OF 105.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 55.3 ACRES, AND COMMERCIAL USE IN NURSERY WAREHOUSES

MAXIMUM RATE: 2.09 CUBIC FEET PER SECOND (CFS); BEING 1.31 CFS FROM WELL 1, 2, AND 3 FOR IRRIGATION, 0.69 CFS FROM WELL 1 AND 3 FOR SUPPLEMENTAL IRRIGATION AND 0.09 CFS FROM WELL 1 AND 3 FOR COMMERCIAL USE

DATE OF PRIORITY: AUGUST 13, 1979

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
5 S	1 W	WM	29	SE SW	4		WELL 1 (ORIGINAL) - 1200 FEET NORTH AND 3750 FEET WEST FROM SE CORNER, SECTION 29
5 S	1 W	WM	30	SE NE		44	WELL 2 (ORIGINAL) - 940 FEET SOUTH AND 460 FEET EAST FROM SE CORNER, LOT 1 (SWNE), SECTION 30
5 S	1 W	WM	32	SE NW			WELL 3 (ADDITIONAL) - 1920 FEET SOUTH AND 1795 FEET EAST FROM THE NW CORNER, SECTION 32

The amount of water used for irrigation 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 period of April 1 to September 30. The right is further limited to the diversion of 1.0 acre foot for each acre irrigated during the period of October 1 through March 31. The supplemental portion of this right is limited to any deficiency in the available supply or any prior right existing for the same land.

**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 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:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	1 W	WM	29	NE SW	3	2.6
5 S	1 W	WM	29	SW SW	4	2.7
5 S	1 W	WM	29	SE SW	4	9.8
5 S	1 W	WM	32	NW NE		2.0
5 S	1 W	WM	32	SW NE		7.4
5 S	1 W	WM	32	NE NW		13.5
5 S	1 W	WM	32	NW NW	1	9.7
5 S	1 W	WM	32	SE NW		40.0
5 S	1 W	WM	32	NE SW	3	13.2
5 S	1 W	WM	32	NW SE		4.6

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	29	SW NW	44	0.6
5 S	1 W	WM	29	NW SW	44	0.3
5 S	1 W	WM	30	SW NE	44	5.2
5 S	1 W	WM	30	SE NE	44	24.8
5 S	1 W	WM	30	NE SE	44	20.0
5 S	1 W	WM	30	NW SE	44	4.4

COMMERCIAL					
Twp	Rng	Mer	Sec	Q-Q	GLot
5 S	1 W	WM	29	SE SW	4

The quantity of water diverted at the additional point of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Measurement, recording and reporting conditions:

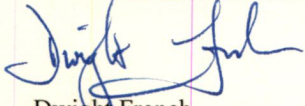
- A. The water user shall maintain the totalizing flow meter or measuring devices in good working order, at each point of appropriation (new and existing).
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer (water source) as the original points 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. The uses confirmed herein may be made only at time when sufficient water is available to satisfy all prior rights.

This certificate is issued to confirm a change in ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered February 18, 2015, at Special Order Volume 95, Page 101, approving Transfer Application T-11837, and together with Certificate 89886, supercedes Certificate 68197, State record of Water Right Certificates.

Issued **FEB 05 2021**



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

