

STATE OF OREGON
 COUNTY OF YAMHILL
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARLTON NURSERY CO. LLC
 13520 SE KIMSEY RD
 DAYTON OR 97114

confirms the right to the use of water perfected under the terms of Permit S-17162. 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.

SOURCE: PALMER CREEK, A TRIBUTARY OF YAMHILL RIVER

USE: IRRIGATION OF 14.2 ACRES

RATE: 0.18 CUBIC FOOT PER SECOND

PRIORITY DATE: JULY 18, 1946

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	8	NE NW	43	GORDON POD - 4020 FEET SOUTH AND 1350 FEET EAST FROM SE CORNER OF DLC 42

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and 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
5 S	3 W	WM	5	SW SE	51	8.4
5 S	3 W	WM	5	SE SE	51	5.8

The quantity of water diverted at the new point of diversion (Gordon POD), 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
5 S	3 W	WM	8	SE SE	51

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 water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for the purposes aforesaid is restricted to the lands or the place of use herein described.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered September 20, 2019, at Special Order Volume 113, Page 1231, approving Transfer Application T-12825, supersedes Certificate 19850, State record of Water Right Certificates.

Issued **APR 28 2023**



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department