

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RANDAL F. AEBI  
PO BOX 762  
MCMINNVILLE, OR 97128

confirms the right to the use of water perfected under the terms of Permit S-54446. The amount of water used to which this right is entitled is limited to an 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 limited and conditions of the use are listed below.

APPLICATION FILE NUMBER: S- 86913

SOURCE OF WATER: POVERTY RESERVOIR (PERMIT R-14431), AND AN UNNAMED STREAM,  
TRIBUTARIES OF NORTH FORK YAMHILL RIVER

PURPOSE OR USE: IRRIGATION USE ON 74.3 ACRES AND POND MAINTENANCE

MAXIMUM VOLUME: 5.32 ACRE FEET EACH YEAR FOR IRRIGATION; 0.29 CUBIC FOOT PER SECOND (CFS), BEING 0.20 CFS FOR IRRIGATION AND 0.09 CFS FOR POND MAINTENANCE

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION FROM POVERTY RESERVOIR;  
MARCH 1 THROUGH APRIL 30 FOR IRRIGATION FROM AN UNNAMED STREAM; AND MARCH 1  
THROUGH MAY 31 FOR POND MAINTENANCE FROM AN UNNAMED STREAM

DATE OF PRIORITY: JUNE 26, 2007

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	4 W	WM	3	SE SE	44	21 FEET NORTH AND 121 FEET EAST FROM THE ANGLE CORNER OF TUSTIN DLC 45

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.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	3	SW NE	45	5.7
4 S	4 W	WM	3	SE NE	45	8.7
4 S	4 W	WM	3	SE NE	44	0.3
4 S	4 W	WM	3	NE SE	44	13.1
4 S	4 W	WM	3	NE SE	45	20.9
4 S	4 W	WM	3	NW SE	45	12.4
4 S	4 W	WM	3	SW SE	45	7.4
4 S	4 W	WM	3	SE SE	45	4.3
4 S	4 W	WM	3	SE SE	44	1.5
TOTAL						74.3

POND MAINTENANCE					
Twp	Rng	Mer	Sec	Q-Q	DLC
4 S	4 W	WM	3	SE SE	44

**Measurement, Recording, and Reporting Conditions:**

- A. The water user shall maintain the totalizing flow meter in good working order at each point of appropriation, 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(s); provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall not construct, operate, or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the water user has requested and been granted a fish passage waiver by the Oregon Fish and Wildlife Commission. The water user is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator, before beginning construction of any in-channel obstruction.



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.

This right does not allow unauthorized inundation of property not under the ownership of the water user.

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

This certificate describes that portion of water right Certificate 93747, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 20 2024, approving Transfer Application T-13768.

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.

WITNESS the signature of the Water Resources Director, affixed DEC 20 2024.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
IVAN GALL, DIRECTOR  
Oregon Water Resources Department