

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ISELI NURSERY
ATTN: GREG ELWELL
30590 SE KELSO
BORING OR 97099

confirms the right to the use of water perfected under the terms of Permit G-18836. 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.

APPLICATION FILE NUMBER: G-11241

SOURCE OF WATER: EIGHT WELLS IN TICKLE CREEK BASIN

PURPOSE OR USE: NURSERY OPERATIONS ON 416.5 ACRES

MAXIMUM RATE: 1650 GALLONS PER MINUTE (GPM), BEING 377 GPM FROM WELL 1, 381 GPM FROM WELL 2, 314 GPM FROM WELL 3, 524 GPM FROM WELL 4, 231 GPM FROM WELL 5, 449 GPM FROM WELL 7, 288 GPM FROM WELL 8, AND 974 GPM FROM WELL 9, NOT TO EXCEED A CUMULATIVE TOTAL OF 1650 GPM IN ANY COMBINATION FROM THE WELLS

DATE OF PRIORITY: MARCH 5, 1984

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	4 E	WM	7	NE NW	WELL 1 (ORIGINAL) - 525 FEET SOUTH AND 2165 FEET EAST FROM NW CORNER, SECTION 7
2 S	4 E	WM	7	NE NW	WELL 2 (ORIGINAL) - 535 FEET SOUTH AND 2335 FEET EAST FROM NW CORNER, SECTION 7
2 S	4 E	WM	7	NE NW	WELL 3 (ORIGINAL) - 810 FEET SOUTH AND 2610 FEET EAST FROM NW CORNER, SECTION 7
2 S	4 E	WM	8	NE NW	WELL 4 (ORIGINAL) - 1050 FEET SOUTH AND 1460 FEET EAST FROM NW CORNER, SECTION 8
2 S	4 E	WM	8	SE NW	WELL 5 (ORIGINAL) - 2600 FEET SOUTH AND 2350 FEET EAST FROM NW CORNER, SECTION 8

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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	4 E	WM	7	NE NW	WELL 7 (ADDITIONAL) - 60 FEET SOUTH AND 2600 FEET EAST FROM NW CORNER, SECTION 7
2 S	4 E	WM	8	SW NE	WELL 8 (ADDITIONAL) - 1360 FEET SOUTH AND 2330 FEET WEST FROM NE CORNER, SECTION 8
2 S	4 E	WM	7	NE NE	WELL 9 (ADDITIONAL) - 105 FEET SOUTH AND 640 FEET WEST FROM NE CORNER, SECTION 7

The amount of water used for Nursery Operations (OAR 690) is limited to a diversion of 0.15 cubic foot per second per acre and 5.0 acre feet 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 any time 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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	4 E	WM	7	NE NE	36.5
2 S	4 E	WM	7	NW NE	19.2
2 S	4 E	WM	7	SW NE	8.9
2 S	4 E	WM	7	SE NE	37.8
2 S	4 E	WM	7	NE NW	35.5
2 S	4 E	WM	7	SE NW	27.2
2 S	4 E	WM	7	NE SW	34.9
2 S	4 E	WM	7	SE SW	15.1
2 S	4 E	WM	7	NW SE	23.8
2 S	4 E	WM	7	SW SE	0.6
2 S	4 E	WM	8	NW NE	1.8
2 S	4 E	WM	8	SW NE	35.5
2 S	4 E	WM	8	NE NW	16.1
2 S	4 E	WM	8	NW NW	27.2
2 S	4 E	WM	8	SW NW	36.0
2 S	4 E	WM	8	SE NW	29.1
2 S	4 E	WM	8	NE SW	27.4
2 S	4 E	WM	8	NW SW	3.9

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director 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.

The water user shall keep a complete record of the amount of groundwater withdrawn.

The combined quantity of water diverted at the additional points 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 (Wells 1-5).

Water shall be acquired from the same aquifer as the original points of appropriation.

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water-level or pump-test data every ten years.

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.

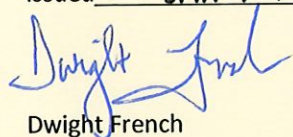
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 shall be limited when it interferes with any prior surface or ground water rights.

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

Issued JAN 14 2025.



Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

