



STATE OF OREGON

YAMHILL COUNTY

"CERTIFICATE NO. B-61967"

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 63105 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Bailey Nurseries, Incorporated of Route 1, Box 9, Yamhill, Oregon 97148, phone 662-3244, for the use of the waters of an unnamed stream and reservoir constructed under Permit R-1407 and enlarged under Permits R-1560 and R-1761, a tributary of Chehalern River, for the PURPOSE of irrigation; that the PRIORITY OF THE RIGHT dates from December 8, 1981, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 1.63 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 1,780 feet North and 1,300 feet East from the Southwest Corner of Section 2, being within the NW 1/4 SW 1/4 of Section 2, Township 3 South, Range 3 West, WM, in the County of Yamhill.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 3 South	Range 3 West, WM	Section 2	NE 1/4	SW 1/4	16.4 acres	
			SE 1/4	NW 1/4	16.4 acres	
			NW 1/4	NW 1/4	8.7 acres	
			SW 1/4	NW 1/4	33.2 acres	
			NW 1/4	SW 1/4	35.6 acres	
			SW 1/4	SW 1/4	8.9 acres	
			Section 3	NE 1/4	NE 1/4	2.0 acres
				SE 1/4	NE 1/4	3.6 acres
				NE 1/4	SE 1/4	3.6 acres
				SE 1/4	SE 1/4	1.9 acres

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, from direct flow and shall be further limited to a diversion of not to exceed two and one-half 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.

Actual construction work shall begin on or before March 17, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983.

Complete application of the water to the proposed use shall be made on or before October 1, 1984.

WITNESS my hand this 17th day of March, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR