

STATE OF OREGON  
COUNTY OF WASHINGTON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON GARDEN PRODUCTS, INC.  
3150 S.E. MINTER BRIDGE ROAD  
HILLSBORO, OREGON 97123

confirms the right to use the waters of DAVIS CREEK AND JOE DOBER RESERVOIR ENLARGED UNDER PERMIT R-10505, a tributary of TUALATIN RIVER, for the purpose of NURSERY OPERATIONS AND SUPPLEMENTAL IRRIGATION ON 99.8 ACRES.

The right has been perfected under Permit 49375. The date of priority is APRIL 11, 1985. The right is limited to not more than 7.85 CUBIC FEET PER SECOND; BEING 0.61 CFS FROM DAVIS CREEK FOR SUPPLEMENTAL IRRIGATION AND 7.85 CFS FROM DAVIS CREEK AND DOBER RESERVOIR FOR NURSERY OPERATIONS, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NW 1/4, SECTION 26, T 1 S, R 3 W, W.M.; 520 FEET SOUTH AND 550 FEET EAST FROM THE NW CORNER OF SECTION 26.

The amount of water used for NURSERY OPERATIONS (OAR 690-111-110 (4)) is limited to a diversion of 0.15 cubic foot per second 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. 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. The use of water for NURSERY OPERATIONS may be made at anytime 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. WATER SHALL NOT BE APPROPRIATED DURING THE PERIOD OF JULY 31 THROUGH SEPTEMBER 15 OF EACH YEAR EXCEPT FROM STORED WATER.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NW 1/4 NW 1/4 16.0 ACRES  
 SW 1/4 NW 1/4 19.9 ACRES  
                                 SECTION 26

NE 1/4 NE 1/4 36.5 ACRES  
 SE 1/4 NE 1/4 27.4 ACRES  
                                 SECTION 27

TOWNSHIP 1 SOUTH, RANGE 3 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 13, 1989.

  /s/ WILLIAM H. YOUNG  
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   Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63321  
 68324.DM