

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES A. FARLEY
13200 SW WILSONVILLE ROAD
WILSONVILLE, OREGON 97070

confirms the right to use the waters of THE WILLAMETTE RIVER, a tributary of THE COLUMBIA RIVER, for NURSERY OPERATIONS ON 38.1 ACRES, BEING RELATED NURSERY USE, CONTAINERIZED NURSERY STOCK USE AND 17,280 SQUARE FEET OF GREENHOUSES.

This right was perfected under Permit 50525. The date of priority is NOVEMBER 2, 1987. This right is limited to 304.0 GALLONS PER MINUTE, BEING 166.0 GPM FOR RELATED NURSERY USE; 90.0 GPM FOR CONTAINERIZED NURSERY STOCK USE AND 48.0 GPM FOR GREENHOUSE USE or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NE 1/4 AS PROJECTED WITHIN DLC 49, SECTION 28, T 3 S, R 1 W, W.M.; 1921 FEET SOUTH AND 2114 FEET WEST FROM NE CORNER OF SECTION 28.

The amount of water used for NURSERY OPERATIONS 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 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 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.

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

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

NW 1/4 SE 1/4	6.3 ACRES	NURSERY USE
SW 1/4 SE 1/4	9.8 ACRES	NURSERY USE
SW 1/4 SE 1/4	7.8 ACRES	CONTAINER STOCK
SW 1/4 SE 1/4	0.4 ACRE	GREENHOUSE USE

ALL AS PROJECTED WITHIN DLC 49

SECTION 21

NW 1/4 NE 1/4	13.0 ACRES	NURSERY USE
NW 1/4 NE 1/4	0.3 ACRE	CONTAINER STOCK
SW 1/4 NE 1/4	0.5 ACRE	NURSERY USE

ALL AS PROJECTED WITHIN DLC 49

SECTION 28

TOWNSHIP 3 SOUTH, RANGE 1 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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed DECEMBER 10, 1992.

/s/ MARTHA O. PAGEL
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68044. 69444.DSM