

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN HOLMUND NURSERY
6615 SE POWELL VALLEY ROAD
GRESHAM, OREGON 97080

confirms the right to use the waters of ONE WELL in the JOHNSON CREEK BASIN for IRRIGATING 116.6 ACRES.

This right was perfected under Permit G-10833. The date of priority is OCTOBER 26, 1987. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.46 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

NW 1/4 SW 1/4, SECTION 31, T 1 S, R 4 E, W.M., 480 FEET SOUTH AND 216 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 31.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

If used for field irrigation for nursery stock, such use is not restricted to the defined agricultural irrigation season.

Use of water under this right shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior ground water rights of others and limited to the appropriation of water only to the extent that such appropriation does not interfere with or deplete the flow of Johnson Creek or any tributary thereof. Any depletion of surface waters may require the wells to be shut down, since by law (ORS 538.170 & 838.180) waters of Johnson Creek and tributaries of Johnson Creek are limited to certain uses and periods of use.

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:

NE 1/4 SW 1/4 40.0 ACRES
NW 1/4 SW 1/4 36.6 ACRES
NW 1/4 SE 1/4 40.0 ACRES
SECTION 31
TOWNSHIP 1 SOUTH, RANGE 4 EAST, W.M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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The works constructed shall include an air line and pressure gauge or an access port measuring line, adequate to determine water level elevation in the well at all times. The user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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

WITNESS the signature of the Water Resources Director, affixed JUNE 26, 1995.

[Signature]

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68523.

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