

STATE OF OREGON  
COUNTY OF WASHINGTON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ORCHARD VIEW NURSERY  
37931 SW BLOOMING-FERNHILL ROAD  
CORNELIUS, OREGON 97113

confirms the right to use the waters of ONE WELL in the TUALATIN RIVER BASIN for NURSERY OPERATION ON 6.0 ACRES.

This right was perfected under Permit G-10985. The date of priority is MAY 26, 1988. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.135 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

NE 1/4 NW 1/4, SECTION 16, T 1 S, R 3 W, W.M.; 1095 FEET SOUTH AND 1620 FEET EAST FROM THE NW CORNER OF SECTION 16.

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.

THIS RIGHT IS SUBJECT TO THE FOLLOWING:

1. Use of water from the well, as allowed herein, shall be regulated if such well displays:
  - A. an average water level decline of three (3) or more feet per year for five (5) consecutive years; OR
  - B. a water level decline of fifteen (15) or more feet in fewer than five (5) consecutive years; OR
  - C. a water level decline of twenty-five (25) feet or more; OR
  - D. an hydraulic interference decline of twenty-five (25) or more feet in any neighboring well providing water for uses exempt from permit requirements or a well covered by prior rights.
2. The Water Resources Department has determined the initial water levels in the well to be 31.70 feet below land surface datum, as measured on March 16, 1992. This is the level from which the previously cited declines are referenced.

The use 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 to which this right is appurtenant is as follows:

NE 1/4 NW 1/4 6.0 ACRES  
SECTION 16  
TOWNSHIP 1 SOUTH, RANGE 3 WEST, W.M.

The well 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 water level elevations in the well at all times. When required by the department, 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 use of water shall be limited when it interferes with the prior SURFACE OR GROUNDWATER rights of others.

The Director may require water level or pump test results 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.

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 DECEMBER 18, 1995.

/s/ MARTHA O. PAGEL  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68713.

BASIN 2

VOLUME 19 TUALATIN RIVER WELLS

DISTRICT 18

G-11816.DSM