

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALFRED MEISNER
CASCADIAN NURSERIES, INC.
13495 NW THOMPSON ROAD
PORTLAND, OR 97229

confirms the right to use the waters of ONE WELL in the ROCK CREEK BASIN for NURSERY OPERATION ON 18.7 ACRES.

This right was perfected under Permit G-11038. The date of priority is AUGUST 25, 1988 - FOR 0.40 CUBIC FOOT PER SECOND, AND OCTOBER 17, 1988 - FOR 0.10 CFS. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.50 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:

NW 1/4 SE 1/4, SECTION 11, T 1 N, R 2 W, W.M.; 1870 FEET NORTH AND 2275 FEET WEST FROM THE SE CORNER OF SECTION 11.

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.

USE OF WATER UNDER THIS RIGHT SHALL BE REGULATED IF THE 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) OR MORE FEET, 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.

THE WATER RESOURCES DEPARTMENT HAS DETERMINED THAT THE INITIAL WATER LEVEL IN THE WELL WAS 92 FEET BELOW LAND SURFACE ON MARCH 2, 1990. THAT IS THE LEVEL FROM WHICH PREVIOUSLY CITED DECLINES WILL BE REFERENCED. AS MUCH AS POSSIBLE, FUTURE LEVELS SHALL REFLECT ANNUAL HIGH LEVELS WHICH ARE USUALLY FOUND IN THE SPRING 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:

SEE NEXT PAGE

G-11845.JT

NE 1/4 SW 1/4	3.0 ACRES
NE 1/4 SE 1/4	5.2 ACRES
NW 1/4 SE 1/4	10.5 ACRES

SECTION 11
TOWNSHIP 1 NORTH, RANGE 2 WEST, W.M.

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 Director may require water level or pump test results every ten years.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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

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 68714.

G-11845.JT