

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WESTERN INTERNATIONAL NURSERY GROWERS, INC.
P.O. BOX 351 (13237 SE 312TH AVENUE)
BORING, OREGON 97009

confirms the right to use the waters of A WELL in the NORTH FORK DEEP CREEK BASIN for NURSERY OPERATIONS ON 21.7 ACRES.

This right was perfected under Permit G-11156. The date of priority is OCTOBER 9, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.33 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:

SE 1/4 NW 1/4, SECTION 5, T 2 S, R 4 E, W.M.; 498 FEET NORTH AND 134 FEET WEST FROM THE C 1/4 CORNER OF SECTION 5.

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:

	<u>IN GROUND</u>	<u>CONTAINER</u>
SW 1/4 NE 1/4		1.0 ACRE
SE 1/4 NW 1/4	9.3 ACRES	9.4 ACRES
NE 1/4 SW 1/4	2.0 ACRES	
	SECTION 5	
	TOWNSHIP 2 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.

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a weir, meter or other suitable measuring device and shall keep a complete record of the amount of ground water withdrawn.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.

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.

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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 use of water shall be limited when it interferes with any other prior right.

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

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 FEBRUARY 7 ,
1996.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72132.

BASIN 2

VOLUME 23 CLACKAMAS RIVER & MISC.

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