

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHERYL ALEXANDER AND VICKI MCKEE
DBA AM NURSERY
26046 SOUTH WALLENS ROAD
ESTACADA, OREGON 97023

confirms the right to use the waters of WELL 2 in the CLACKAMAS RIVER BASIN for NURSERY OPERATIONS ON 27.89 ACRES.

This right was perfected under Permit G-11999. The date of priority is SEPTEMBER 26, 1991. This right is limited to 65.0 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SW 1/4, AS PROJECTED WITHIN J. KANDLE DLC 39, SECTION 4, T 4 S, R 4 E, W.M.; 515 FEET SOUTH AND 472 FEET EAST FROM THE SW CORNER OF H. BROWN DLC 45.

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.

A description of the proposed place of use under this right is as follows:

NW 1/4 SW 1/4 7.85 ACRES
SW 1/4 SW 1/4 14.45 ACRES
BOTH AS PROJECTED WITHIN J. KANDLE DLC 39
SECTION 4
NW 1/4 NW 1/4 5.59 ACRES
AS PROJECTED WITHIN J. KANDLE DLC 39
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 4 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall maintain a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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

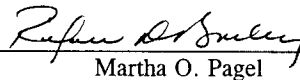
Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

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

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 APRIL 19, 1999.



Martha O. Pagel