

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLENN WALTERS NURSERY, INC.
P.O. BOX 280
BANKS, OREGON 97106

confirms the right to use the waters of TWO WELLS in the TUALATIN RIVER BASIN for NURSERY OPERATIONS ON 26.9 ACRES.

This right was perfected under Permit G-11064. The date of priority is APRIL 25, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well. The quantity of water allowed herein, together with any amount secured under any prior right is limited to the capacity of the wells at the time of perfection of this right.

The wells are located as follows:

WELL NO. 1 - SW 1/4 NE 1/4, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.; 420 FEET NORTH AND 680 FEET EAST FROM THE CENTER 1/4 CORNER OF SECTION 8; AND

WELL NO. 2 - SW 1/4 NE 1/4, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.; 590 FEET NORTH AND 640 FEET EAST FROM THE CENTER 1/4 CORNER OF SECTION 8.

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, during the period of allowed use specified above, 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 limited to any deficiency in the available supply of any prior right existing for the same land.

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:

SW 1/4 NE 1/4 8.1 ACRES
SE 1/4 NW 1/4 18.8 ACRES
SECTION 8
TOWNSHIP 2 SOUTH, RANGE 2 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 elevation in the well at all times. When required by the department, the water 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.

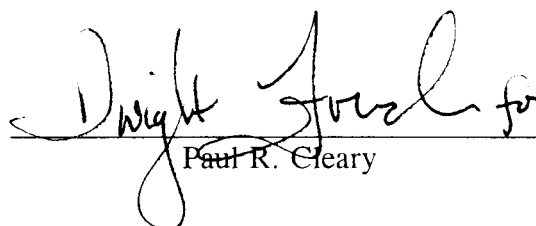
Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed NOVEMBER 30, 2000.


Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76641.