

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 McFEE CREEK, a tributary of TUALATIN RIVER, for IRRIGATION OF 13.9 ACRES.

This right was perfected under Permit 25136. The date of priority is MAY 29, 1956. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.17 CUBIC FOOT PER SECOND [IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION LOCATED WITHIN LOT 9 (NE 1/4 NW 1/4), SECTION 16, TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M.], or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SW 1/4, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.; 1000 FEET NORTH AND 1370 FEET EAST FROM THE SW CORNER OF SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre-feet per acre for each acre irrigated 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:

| | |
|--------------------------------------|------------|
| NE 1/4 SW 1/4 | 13.6 ACRES |
| SE 1/4 SW 1/4 | 0.3 ACRE |
| SECTION 8 | |
| TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M. | |

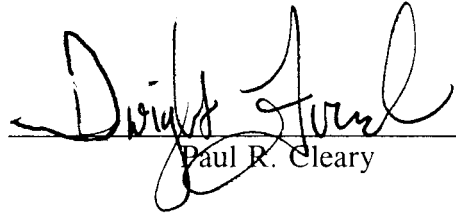
The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in point of diversion and place of use approved by an order of the Water Resources Director entered June 10, 1998, and together with Certificate 75662, supersedes Certificate 31394, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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



Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76645.