

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLENN WALTERS NURSERY INC.
PO BOX 280
BANKS OR 97106

confirms the right to store water perfected under the terms of Permit R-10889. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-68405

SOURCE: UNNAMED STREAM, TRIBUTARY TO EAST FORK DAIRY CREEK

STORAGE FACILITY: ROY FARM RESERVOIR

PURPOSE or USE: STORAGE FOR NURSERY USE TO BE APPROPRIATED UNDER PERMIT S-50166

MAXIMUM STORAGE VOLUME: 41.44 ACRE FEET

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE NON-IRRIGATION SEASON OR WHEN EXCESS WATER IS OTHERWISE AVAILABLE

DATE OF PRIORITY: JUNE 24, 1985

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC
1 N	3 W	WM	16	NE NW	44

The area submerged by this reservoir is as follows:

STORAGE					
Twp	Rng	Mer	Sec	Q-Q	DLC
1 N	3 W	WM	16	NW NE	44
1 N	3 W	WM	16	NE NW	44

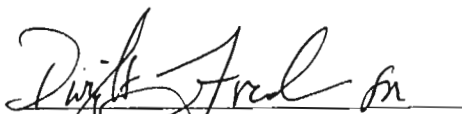
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

CONDITIONS OF USE

1. The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.
2. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.
3. The structure shall be constructed, operated and maintained in accordance with the approved plans and specifications and with the design intent.
4. All flashboards shall be removed from the spillway during the period from October 1 to April 1 of each year.
5. The outlet gate shall be cycled at least once a year in order to assure smooth operation.
6. The embankment and spillway channel shall be kept clear of trees and brush.
7. The embankment shall be kept free of burrowing animals.

WITNESS the signature of the Water Resources Director, affixed JUL 20 2007.


Phillip C. Ward, Director
Water Resources Department