

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORTHWEST FARM CREDIT SERVICES  
P.O. BOX 13309  
SALEM OR 973091309

KNG, INC.  
24075 KLUPENGER RD NE  
AURORA OR 97002

RDO FARM, INC  
24075 KLUPENGER RD NE  
AURORA OR 97002

confirms the right to use the waters of MURRAY WELL in the Willamette Basin for NURSERY USES of 75.10 ACRES.

This right was perfected under Permit G-10852. The date of priority is MARCH 30, 1987. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 100 GALLONS PER MINUTE (GPM), BEING 100 GPM FOR RELATED NURSERY USE AND 100 GPM FOR CONTAINERIZED NURSERY STOCK or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 S	1 W	WM	34	NW NW			147 FEET NORTH & 132 FEET EAST FROM NW CORNER, SWNW, SECTION 34

This right is limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights as well as prior ground water rights of others. If use of water under this right is found to interfere with appropriation of water from Paul D. Daily's irrigation well (35/1W-33 aad), use of the Murray Well under this right shall be regulated so as to eliminate the interference.

If used for field irrigation for nursery stock, such use is not restricted to the defined agricultural irrigation season.

**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.

A description of the place of use to which this right is appurtenant is as follows:

NURSERY USES							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
3 S	1 W	WM	34	NE NW			2.80
3 S	1 W	WM	34	NW NW			35.70
3 S	1 W	WM	34	SW NW			36.60

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

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.


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maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

This right is for the beneficial use of water.

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.

Issued       **JUL 28 2008**      .

  
Phillip C. Ward, Director  
Water Resources Department