

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FESSLER NURSERY CO.
12666 MONITOR MCKEE RD
WOODBURN OR 97071

confirms the right to use the waters of FESSLER WELL 2 in PUDDING RIVER BASIN for GREENHOUSE USE AND IRRIGATION of 2.4 ACRES.

This right was perfected under Permit G-9587. The date of priority is MARCH 12, 1982. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.08 CUBIC FOOT PER SECOND (CFS), BEING 0.05 CFS FOR GREENHOUSE USE AND 0.03 CFS FOR IRRIGATION, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	34	NW NW	760 FEET SOUTH AND 60 FEET EAST FROM NW CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 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 is as follows:

GREENHOUSE					
Twp	Rng	Mer	Sec	Q-Q	
5 S	1 W	WM	34	NW NW	

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 W	WM	34	NW NW	2.4

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may either petition for judicial review and 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.

The quantity of water diverted at the new point of appropriation (well), shall not exceed the quantity of water available from the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	34	NW NW	340 FEET SOUTH AND 610 FEET EAST FROM NW CORNER, SECTION 34

Water shall be acquired from the same aquifer as the original point of appropriation.

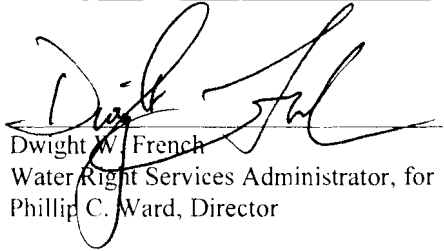
When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under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

This certificate is issued to confirm a CHANGE IN POINT OF APPROPRIATION AND PLACE OF USE approved by an order of the Water Resources Director entered MAY 9, 2005, at Special Order Volume 64, Page 450, approving Transfer Application 6952, and supercedes Certificate 62676, State record of Water Right Certificates.

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.

JUN 20 2013

Issued _____



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director