

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS R. FESSLER; FESSLER FAMILY LLC
 12096 MONITOR MCKEE RD
 WOODBURN OR 97071

confirms the right to use the waters of FOUR WELLS IN THE PUDDING RIVER BASIN for NURSERY USE on 33.9 ACRES.

This right was perfected under Permit G-10713. The date of priority is DECEMBER 19, 1986. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 557 GALLONS PER MINUTE, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	21	SE SE	FESSLER WELL 1 - 630 FEET NORTH AND 1000 FEET WEST FROM SW CORNER, SECTION 22
5 S	1 W	WM	22	SW SW	FESSLER WELL 2 - 550 FEET NORTH AND 1290 FEET EAST FROM SW CORNER, SECTION 22
5 S	1 W	WM	22	SW SW	FESSLER WELL 3 - 20 FEET NORTH AND 460 FEET EAST FROM SW CORNER, SECTION 22
5 S	1 W	WM	22	SW SW	LICHTE WELL 1 - 1040 FEET NORTH AND 20 FEET EAST FROM SW CORNER, SECTION 22

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:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 W	WM	21	SE SE	15.7
5 S	1 W	WM	22	SW SW	18.2

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

The quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation; being Fessler Well 1 and Fessler Well 2.

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.

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

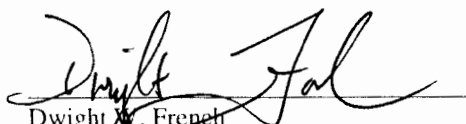
The user shall maintain weirs, meters or other suitable devices, and shall keep a complete record of the amount of ground water withdrawn.

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 right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm changes in PLACE OF USE AND ADDITIONAL POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered JUNE 6, 2005, at Special Order Volume 64, Page 582, approving Transfer Application 6992, supercedes Certificate 76989, State record of Water Right Certificates.

Issued MAY 09 2014 .

A handwritten signature in black ink, appearing to read "Dwight French", written over a horizontal line.

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