

STATE OF OREGON
COUNTY OF CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RAY NEUSCHWANDER
6097 S WHISKEY HILL RD
HUBBARD, OR 97032

confirms the right to the use of water perfected under the terms of Permit G-15646. 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: G-15567

SOURCE OF WATER: TWO WELLS IN BEAR CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 119.1 ACRES, BEING 54.8 ACRES FROM WELL 1 AND 64.3 ACRES FROM WELL 2

MAXIMUM RATE: 1.02 CUBIC FEET PER SECOND (CFS), BEING FURTHER LIMITED TO 0.70 CFS FROM WELL 1 AND 0.32 CFS FROM WELL 2, NOT TO EXCEED MAXIMUM CUMULATIVE TOTAL OF 1.02 CFS

PERIOD OF USE: YEAR-ROUND

DATE OF PRIORITY: JULY 25, 2001

The wells are located as follows:

| Twp | Rng | Mer | Sec | Q-Q | GLot | Measured Distances |
|-----|-----|-----|-----|-------|------|--|
| 4 S | 1 E | WM | 32 | SE NE | 4 | WELL 1 - 550 FEET NORTH AND 1250 FEET WEST FROM E1/4 CORNER, SECTION 32 |
| 4 S | 1 E | WM | 32 | SE NW | 2 | WELL 2 - 50 FEET NORTH AND 50 FEET WEST FROM THE C1/4 CORNER OF SECTION 32 |

The amount of water used for nursery use is limited to a maximum of 5.0 acre feet per acre and a diversion of 0.15 cubic foot per second per acre. For irrigation of containerized nursery plants, the amount of water diverted is limited to one fortieth of one cubic foot per second and 5.0 acre feet per acre per year. For irrigation of in-ground nursery plants the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre per year. The use of water for nursery use may be made any time, during the period of allowed use specified above, that the use is beneficial. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

Descriptions of the place of use are as follows:

| NURSERY USE – WELL 1 | | | | | | |
|----------------------|-----|-----|-----|-------|------|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | Acres |
| 4 S | 1 E | WM | 32 | SW NE | 3 | 26.5 |
| 4 S | 1 E | WM | 32 | SE NE | 4 | 25.2 |
| 4 S | 1 E | WM | 32 | NW SE | | 3.1 |
| Total | | | | | | 54.8 |

| NURSERY USE – WELL 2 | | | | | | |
|----------------------|-----|-----|-----|-------|------|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | Acres |
| 4 S | 1 E | WM | 32 | SW NE | 3 | 2.7 |
| 4 S | 1 E | WM | 32 | SE NW | 2 | 3.9 |
| 4 S | 1 E | WM | 32 | NE SW | | 4.3 |
| 4 S | 1 E | WM | 32 | NW SE | | 21.8 |
| 4 S | 1 E | WM | 32 | SW SE | | 31.6 |
| Total | | | | | | 64.3 |

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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.

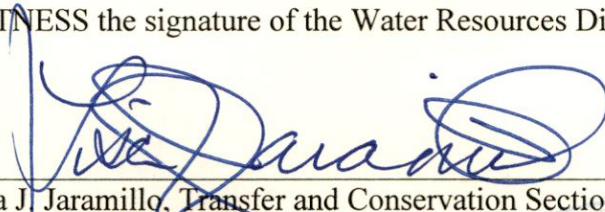
The use of water shall be limited when it interferes with any prior surface or ground water rights.

This certificate describes that portion of water right Certificate 93512, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 25 2020, approving Transfer Application T-12879.

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 is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies of conservation practices to achieve this end.

WITNESS the signature of the Water Resources Director, affixed FEB 25 2020.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

