

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JLPN INC.  
1118 LANCASTER DR NE PMB 409  
SALEM OR 97301

confirms the right to the use of water perfected under the terms of Permit G-18696. 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 FILE NUMBER: G-18766

SOURCE OF WATER: WELL1 (MARI 59533/L79515) AND WELL 2 (MARI 70796) IN FRUITLAND CREEK BASIN

PURPOSE OR USE: NURSERY USE ON 55.0 ACRES

MAXIMUM RATE: 1.63 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 0.59 CFS FROM WELL 1 AND 1.20 CFS FROM WELL 2, NOT TO EXCEED A CUMULATIVE TOTAL OF 1.63 CFS IN COMBINATION FROM THE WELLS

PERIOD OF USE: JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: NOVEMBER 28, 2018

WELL LOCATIONS:

| Twp | Rng | Mer | Sec | Q-Q   | DLC | Measured Distances                                                                |
|-----|-----|-----|-----|-------|-----|-----------------------------------------------------------------------------------|
| 7 S | 2 W | WM  | 33  | NW NW | 75  | WELL 1 (MARI 59533) - 110 FEET SOUTH AND 445 FEET EAST FROM NW CORNER, SECTION 33 |
| 7 S | 2 W | WM  | 29  | SE SE | 75  | WELL 2 (MARI 70796) - 340 FEET NORTH AND 250 FEET WEST FROM SE CORNER, SECTION 29 |

**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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

The amount of water used for nursery use under this right, together with the amount secured under any other right existing for the same lands, is limited to 0.15 cubic foot per second per acre and 5.0 acre feet per acre per year. For irrigation of containerized nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second and 5.0 acre feet per acre per year. For the irrigation of in-ground nursery plants, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, 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 at any time, during the period allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted under this right, together with the amount secured under any other right existing for the same lands, 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.

**AUTHORIZED PLACE OF USE:**

| Twsp | Rng | Mer | Sec | Q-Q   | DLC | Acres |
|------|-----|-----|-----|-------|-----|-------|
| 7 S  | 2 W | WM  | 28  | SW SW | 75  | 4.3   |
| 7 S  | 2 W | WM  | 29  | SE SE | 75  | 8.4   |
| 7 S  | 2 W | WM  | 32  | NE NE | 75  | 28.5  |
| 7 S  | 2 W | WM  | 32  | SE NE | 75  | 2.3   |
| 7 S  | 2 W | WM  | 33  | NW NW | 75  | 11.5  |

**Water Use Measurement, Recording, and Reporting Condition:**

- A. The water user shall maintain, in good working order, a totalizing flow meter at each point of appropriation.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The water user shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

**Static Water Level Condition:**

Use of water from the well, as allowed herein, shall be controlled or shut off if the well displays:

- A. An average water-level decline of 3 or more feet per year for five consecutive years; or
- B. A total water-level decline of 15 or more feet; or
- C. A hydraulic interference decline of 15 or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall be responsible for complying with each of the following requirements for measuring water levels in the well(s).

- A. A water-level measurement shall be made each year during the period March 1 through March 31.
- B. All water-level measurements shall be made by a qualified individual. Qualified individuals are certified water rights examiners, registered geologists, registered professional engineers, licensed land surveyors, licensed water well constructor, licensed pump installer, or the water user.
- C. Any qualified individual measuring a well shall use standard methods of procedure and equipment designed for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction at the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.

The water user shall report the record of the measurement to the Department on a form available from the Department. The record of measurement shall include both measurements and calculations, shall include a certification as to their accuracy signed by the individual making the measurements, and shall be submitted to the Department within 90 days from the date of measurement. The Department shall determine when any of the declines cited herein are evidenced by the well measurement required in the static water level condition.

Groundwater production shall be only from the Columbia River Basalt Group groundwater reservoir between 200 and 600 feet below land surface.

**Well Construction Requirements:**

- A. Well 2 shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). In addition, the open interval in Well 2 well shall be no greater than 50 feet.
- B. Well 2 shall be continuously cased and continuously sealed at least 5 feet into the confining flow interior overlying the water-bearing zone accessed by the well to prevent commingling with shallower aquifers and hydraulic connection to local surface waters.

**Well Identification Tag Condition:**

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.

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.

If substantial interference with surface water or 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 interferences.

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 adequate to determine the water-level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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

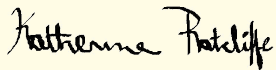
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

**THIS CERTIFICATE IS ISSUED TO CORRECT A SCRIVENER'S ERROR REGARDING THE WELL COORDINATES AND SUPERSEDES CERTIFICATE 99259.**

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

Issued August 4, 2026.



Katherine Ratcliffe  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

