

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

KLUPENGERS NURSERY & GHSE., INC.
24075 KLUPENGER ROAD NE
AURORA, OREGON 97002

503-678-5838

is hereby issued a permit to use the waters from TWO WELLS WITHIN WILLAMETTE RIVER BASIN for RELATED NURSERY USES ON 43.5 ACRES AND CONTAINERIZED NURSERY STOCK USES ON 2.5 ACRES. The permit to the use of these waters has been issued under Application G-11637 with a date of priority of MARCH 30, 1987 FOR 1000 GPM AND MAY 18, 1987 FOR 500 GPM. The permit is limited to not more than 1500 GALLONS PER MINUTE, BEING 1500 GPM FOR RELATED NURSERY USES AND 168 GPM FOR CONTAINERIZED NURSERY STOCK or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

well (1) SE 1/4 NE 1/4, Section 33, T 3 S, R 1 W, WM;
260 FEET NORTH & 30 FEET WEST FROM E1/4 CORNER, SECTION 33.

well (2) SE 1/4 NE 1/4, Section 33, T 3 S, R 1 W, WM;
150 FEET NORTH & 190 FEET WEST FROM E1/4 CORNER, SECTION 33.

The permit shall be 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.

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The place of use is as follows:

	ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
NURSERY USES	13.00	NE NW	33	3 S	1 W
NURSERY USES	24.00	SE NW	33	3 S	1 W
NURSERY USES	9.00	NE SE	33	3 S	1 W

Total: 46.00 acres.

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

Application G-11637 Water Resources Department Permit G-10851

"CERTIFICATE NO. 65251 "

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include air lines and pressure gauges or access ports for measuring lines, adequate to determine water level elevations in the wells at all times. The permittee shall install and maintain weirs, meters, or other suitable measuring devices, and shall keep complete records of the amounts of ground water withdrawn.

Actual construction work shall begin on or before January 31, 1990, and shall be completed on or before October 1, 1990. Complete application of the water to the use shall be made on or before October 1, 1991.

This permit 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Issued this date, January 31, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director