

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

**This is to certify, That** J.R. SIMPLOT COMPANY

of PO Box 1059, Caldwell, State of Idaho 83605, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Well 4

a tributary of Umatilla River for the purpose of use in a food processing plant, irrigation of 18.2 acres and supplemental irrigation of 200.5 acres, providing that the primary source of water for \* under Permit No. G-8298 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 22, 1978 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1200 gallons per minute

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the SW 1/4 SE 1/4, Section 26, T4N, R28E, WM; 600 feet North and 220 feet East from S 1/4 Corner, Section 26.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that in event of a request for a change in point of appropriation, an additional point of appropriation or repair of this well, the quantity of water allowed herein together with any other right from this point of appropriation shall not exceed the capacity of this system at the time of perfection of this right and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

\* irrigation shall be from waste water from food processing, and direct appropriation from the well for periods and in quantities required to make up any deficiency in the available supply from waste water providing the total quantity appropriated shall not exceed 1200 gpm

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PRIMARY IRRIGATION

11.4 acres SW 1/4 SW 1/4  
1.8 acres SE 1/4 SW 1/4  
Section 26

2.4 acres SE 1/4 SE 1/4  
Section 27

0.4 acre NE 1/4 NE 1/4  
1.1 acres NW 1/4 NE 1/4  
0.6 acre NE 1/4 NW 1/4  
Section 34

0.5 acre NW 1/4 NW 1/4  
Section 35

Township 4 North, Range 28 East, WM

SUPPLEMENTAL IRRIGATION

11.5 acres SW 1/4 SW 1/4  
9.1 acres SE 1/4 SW 1/4  
Section 26

food processing and 2.0 acres SW 1/4 SW 1/4  
17.3 acres SE 1/4 SW 1/4  
19.0 acres SW 1/4 SE 1/4  
12.4 acres SE 1/4 SE 1/4  
Section 27

5.2 acres NE 1/4 SE 1/4  
15.0 acres NW 1/4 SE 1/4  
22.3 acres SW 1/4 SE 1/4  
28.2 acres SE 1/4 SE 1/4  
Section 28

8.5 acres NW 1/4 NE 1/4  
Section 33

2.3 acres NE 1/4 NE 1/4  
10.2 acres NW 1/4 NE 1/4  
13.4 acres NE 1/4 NW 1/4  
16.2 acres NW 1/4 NW 1/4  
Section 34

7.9 acres NW 1/4 NW 1/4  
Section 35

Township 4 North, Range 28 East, WM

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.*

WITNESS the signature of the Water Resources Director, affixed

this date. December 17, 1984

...../s/.....William H. Young.....  
Water Resources Director