

STATE OF OREGON  
COUNTY OF MALHEUR  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

AMERICAN FINE FOODS, INC.  
PO BOX 460  
PAYETTE, IDAHO 83661

confirms the right to use the waters of THE SNAKE RIVER WITH ANY DEFICIENCY IN SUPPLY TO BE APPROPRIATED FROM A WASTE WATER POND, tributary of THE COLUMBIA RIVER for IRRIGATING 48.7 ACRES.

This right was perfected under Permit 50685. The date of priority is AUGUST 26, 1988. This right is limited to 1.22 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 NW 1/4, SECTION 28; NE 1/4 NE 1/4, SECTION 29, T 19 S, R 47 E, W.M.; RIVER - 1330 FEET SOUTH AND 1920 FEET EAST FROM THE NW CORNER OF SECTION 28; POND - 450 FEET SOUTH AND 460 FEET WEST FROM THE NE CORNER OF SECTION 29.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

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 to which this right is appurtenant is as follows:

NW 1/4 NW 1/4 28.2 ACRES  
SECTION 28

NE 1/4 NE 1/4 20.5 ACRES  
SECTION 29

TOWNSHIP 19 SOUTH, RANGE 47 EAST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed AUGUST 19, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67700.

BASIN 10 VOLUME 2A BIRCH CREEK & MISC. DISTRICT 9  
69697.DSM