

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J.R. SIMPLOT COMPANY
P.O. BOX 218
PENDLETON, OREGON 97801

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 72.5 ACRES.

The right has been perfected under Permit 30078. The date of priority is OCTOBER 1, 1964. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.14 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 SE 1/4, SECTION 27; NE 1/4 NE 1/4, NW 1/4 NE 1/4, SECTION 34; NE 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4, SECTION 35; NE 1/4 NW 1/4, SECTION 36, ALL WITHIN T 4 N, R 28 E, W.M.; (ADDITIONAL) - 140 FEET NORTH AND 710 FEET WEST FROM THE SE CORNER OF SECTION 27; (ORIGINALS) - 2490 FEET NORTH AND 1050 FEET WEST; 2040 FEET NORTH AND 2240 FEET WEST, BOTH FROM THE WEST 1/4 CORNER OF SECTION 35; 2610 FEET NORTH AND 1050 FEET WEST FROM THE WEST 1/4 CORNER OF SECTION 36; 2580 FEET NORTH AND 1680 FEET EAST; 1920 FEET NORTH AND 630 FEET EAST, BOTH FROM THE WEST 1/4 CORNER OF SECTION 35; 1650 FEET NORTH AND 2380 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 36.

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-FORTIETH 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

SW 1/4 SW 1/4	11.2 ACRES
SE 1/4 SW 1/4	10.6 ACRES
SECTION 26	
SW 1/4 SE 1/4	13.4 ACRES
SE 1/4 SE 1/4	12.5 ACRES
SECTION 27	
NE 1/4 NE 1/4	3.6 ACRES
NW 1/4 NE 1/4	11.0 ACRES
SECTION 34	
NE 1/4 NW 1/4	0.2 ACRE
NW 1/4 NW 1/4	10.0 ACRES
SECTION 35	

TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

SEE NEXT PAGE

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 25, 1985 and together with certificate 53262, supersedes certificate 34389, State Record of Water Right Certificates.

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 to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed JANUARY 22 ,
1996.

/S/ GEOFFREY M. HUNTINGTON

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68763.

T-5586.JW