

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

L & L Farms
PMB 423
822 HWY 395 S
Hermiston, OR 97838

confirms the right to use the waters of WELL #2 in the UMATILLA RIVER BASIN for IRRIGATION OF 16.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 162.3 ACRES.

This right was perfected under Permit G-12438. The date of priority is APRIL 8, 1991. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.24 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NW 1/4 SECTION 12, TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.; 135 FEET SOUTH AND 1810 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 12.

The amount of water used for irrigation, 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 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. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

A description of the place of use to which this right is appurtenant is as follows:

	PRIMARY	SUPPLEMENTAL
NE 1/4 NW 1/4	1.1 ACRES	33.1 ACRES
NW 1/4 NW 1/4	5.7 ACRES	20.0 ACRES
SW 1/4 NW 1/4	2.3 ACRES	36.7 ACRES
SE 1/4 NW 1/4		40.0 ACRES
NE 1/4 SW 1/4	6.3 ACRES	13.7 ACRES
NW 1/4 SW 1/4	1.2 ACRES	18.8 ACRES

SECTION 12

TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded 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.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with 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 shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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

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.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. 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.

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.

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

WITNESS the signature of the Water Resources Director, affixed March 28, 2003.


Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79977.

G-12481.SB