

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TONGES FARMS, LLC
 JOHN DAVID TONGES
 9095 NW KERKMAN ROAD
 CORNELIUS OREGON 97113

confirms the right to use the waters of DAIRY CREEK, a tributary of the TUALATIN RIVER, for IRRIGATION OF 65.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 5.8 ACRES.

This right was perfected under Permit S-28300. The date of priority is AUGUST 10, 1962. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.89 CUBIC FOOT PER SECOND (CFS), BEING 0.82 CFS FOR IRRIGATION AND 0.07 CFS FOR SUPPLEMENTAL IRRIGATION, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
1 N	3 W	WM	21	SE SE	54	680 FEET NORTH AND 4180 FEET WEST FROM THE SE CORNER OF DLC 54.

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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre 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:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	21	SE NE	54	1.7
1 N	3 W	WM	21	NE SE	54	5.1
1 N	3 W	WM	21	SW SE	54	1.6
1 N	3 W	WM	21	SE SE	54	27.6
1 N	3 W	WM	22	NW SW	54	11.0
1 N	3 W	WM	22	SW SW	54	18.0

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	21	SE NE	54	0.2
1 N	3 W	WM	21	NE SE	54	5.5
1 N	3 W	WM	21	NW SE	54	0.1

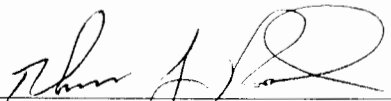
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

This certificate is issued to confirm the right modified by provisions of an order recorded at Special Order Volume 63, Page 403, diminishing the right evidenced by Certificate 34946. This certificate supersedes Certificate 34946.

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.

WITNESS the signature of the Water Resources Director, affixed FEB 28 2005.


Phillip C. Ward, Director