

This is a final order in other than a 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TRI-SET, INC
77432 HOMESTEAD LANE
HERMISTON, OR 97838

confirms the right to use the waters of WESTLAND IRRIGATION DISTRICT WASTE AND DRAINAGE, for IRRIGATION OF 1.2 ACRES.

This right was perfected under Permit 27731. The date of priority is NOVEMBER 28, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.;
2100 FEET SOUTH AND 270 FEET WEST FROM THE NE CORNER, SECTION
9.

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-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; and shall be also limited to the water available at the point of diversion and shall not carry with it the right to compel the continuance of the waste water.

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:

SE¼ SE¼ 1.2 ACRES
SECTION 4
TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

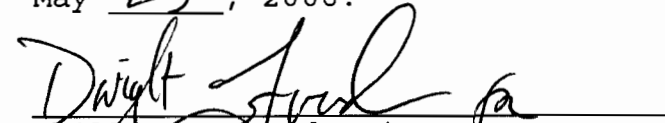
This certificate describes that portion of the water right confirmed by Certificate 50169, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered may 13, 1985, approving Transfer Application T-5610.

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 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

May 23, 2006.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82090.