

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TONY AMSTAD
16300 SW 192ND
SHERWOOD, OR 97140

L & L FARMS - ROBERT LEVY
822 HWY 395 S #423
HERMISTON, OR 97838

confirms the right to use the waters of UMATILLA RIVER, tributary to COLUMBIA RIVER, for IRRIGATION of 574.00 ACRES and SUPPLEMENTAL IRRIGATION of 1508.80 ACRES. The use allowed herein may be made anytime between November 15 and June 15 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

This right was perfected under Permit S-48968. The date of priority is AUGUST 10, 1981. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 50.0 CUBIC FEET PER SECOND, 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	GLot	DLC	SURVEY COORDINATES
3 N	29 E	WM	21	SW NE			WESTLAND CANAL - NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST, 2913.19 FEET FROM W1/4 CORNER OF SECTION 21

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 1.50 acre-feet per acre for each acre irrigated during the period from November 15 to the last day of February of each year, provided further that the right allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed 4.50 acre-feet for each acre irrigated in any one year, provided further, that the part declared herein to be supplemental irrigation, the right allowed may, in the interest of conserving ground water supplies, be exercised at times when water is available in the ground water supply provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein.

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 OR 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.

The use of water during the period from November 15 to the last day of February of each year shall not establish priority against future appropriation for beneficial use or storage for such beneficial uses, other than similar rights for irrigation from November 15 to the last day of February.

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	GLot	DLC	ACRES
2 N	28 E	WM	4	NE NE	1		34.00
2 N	28 E	WM	4	NW NE	2		33.90
2 N	28 E	WM	4	SW NE			29.20
2 N	28 E	WM	4	SE NE			29.20
2 N	28 E	WM	4	NE NW	3		34.20
2 N	28 E	WM	4	NW NW	4		34.30
2 N	28 E	WM	4	SW NW			28.90
2 N	28 E	WM	4	SE NW			28.90
2 N	28 E	WM	4	NE SW			24.70
2 N	28 E	WM	4	NW SW			33.50
2 N	28 E	WM	4	SW SW			13.20
2 N	28 E	WM	4	NE SE			33.50
2 N	28 E	WM	4	NW SE			33.00
2 N	28 E	WM	4	SW SE			28.50
2 N	28 E	WM	4	SE SE			28.70
3 N	28 E	WM	32	NE NW			31.00
3 N	28 E	WM	32	NW NW			31.70
3 N	28 E	WM	32	SW NW			31.90
3 N	28 E	WM	32	SE NW			31.50
3 N	28 E	WM	33	SW SW			0.10
3 N	28 E	WM	33	SE SW			0.10
TOTAL:							574.00

SUPPLEMENTAL IRRIGATION							
TWP	RNG	MER	SEC	Q-Q	GLot	DLC	ACRES
2 N	28 E	WM	4	NE SW			9.00
2 N	28 E	WM	4	NW SW			0.10
2 N	28 E	WM	4	SW SW			14.70
2 N	28 E	WM	4	SE SW			27.90
3 N	28 E	WM	23	NE SE			30.30
3 N	28 E	WM	23	NW SE			31.30
3 N	28 E	WM	23	SW SE			23.70
3 N	28 E	WM	23	SE SE			21.70
3 N	28 E	WM	26	NE NE			30.20
3 N	28 E	WM	26	NW NE			35.70
3 N	28 E	WM	26	SW NE			35.20
3 N	28 E	WM	26	SE NE			28.10
3 N	28 E	WM	27	NE NW			28.40
3 N	28 E	WM	27	NW NW			30.40

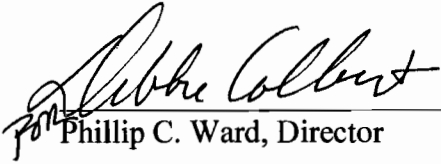
SUPPLEMENTAL IRRIGATION							
TWP	RNG	MER	SEC	Q-Q	GLot	DLC	ACRES
3 N	28 E	WM	28	SW SW			4.70
3 N	28 E	WM	28	SE SW			4.60
3 N	28 E	WM	28	SW SE			4.70
3 N	28 E	WM	29	SE SW			5.40
3 N	28 E	WM	29	SW SE			5.60
3 N	28 E	WM	29	SE SE			4.70
3 N	28 E	WM	32	NE NE			36.70
3 N	28 E	WM	32	NW NE			36.90
3 N	28 E	WM	32	SW NE			32.20
3 N	28 E	WM	32	SE NE			32.00
3 N	28 E	WM	33	NE NE			31.30
3 N	28 E	WM	33	NW NE			36.50
3 N	28 E	WM	33	SW NE			31.00
3 N	28 E	WM	33	SE NE			31.00
3 N	28 E	WM	33	NE NW			36.50
3 N	28 E	WM	33	NW NW			35.90
3 N	28 E	WM	33	SW NW			32.00
3 N	28 E	WM	33	SE NW			32.40
3 N	28 E	WM	33	NE SW			29.20
3 N	28 E	WM	33	NW SW			30.90
3 N	28 E	WM	33	SW SW			32.60
3 N	28 E	WM	33	SE SW			30.40
3 N	28 E	WM	33	NE SE			31.10
3 N	28 E	WM	33	NW SE			31.20
3 N	28 E	WM	33	SW SE			32.70
3 N	28 E	WM	33	SE SE			32.30
3 N	29 E	WM	19	SW SW	4		11.50
3 N	29 E	WM	19	SE SW			4.50
3 N	29 E	WM	29	SW NW			7.40
3 N	29 E	WM	29	NW SW			6.10
3 N	29 E	WM	30	NE NE			28.90
3 N	29 E	WM	30	NW NE			34.00
3 N	29 E	WM	30	SW NE			36.20
3 N	29 E	WM	30	SE NE			39.20
3 N	29 E	WM	30	NE NW			38.00
3 N	29 E	WM	30	NW NW	1		57.30
3 N	29 E	WM	30	SW NW	2		50.10
3 N	29 E	WM	30	SE NW			29.60
3 N	29 E	WM	30	NE SE			37.20
3 N	29 E	WM	30	NW SE			31.80
3 N	29 E	WM	30	SW SE			33.60
3 N	29 E	WM	30	SE SE			32.20
TOTAL:							1508.80

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.

This certificate describes that portion of the water right confirmed by Certificate 81417, State Record of Water Right Certificates, DIMINISHED from irrigation to supplemental irrigation by the provisions of an order of the Water Resources Director entered JAN 19 2007 and recorded in Special Order Volume 71, Page 44, approving Transfer Application 10251. This certificate supersedes Certificate 81417.

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.

WITNESS the signature of the Water Resources Director, affixed JAN 19 2007.


Phillip C. Ward, Director

Mailing Date: JAN 22 2007