

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLENN CHOWNING AND ASSOC.
PO BOX 862
HERMISTON, OREGON 97838

confirms the right to use the waters of WELLS 1 THROUGH 9 in the MALHEUR LAKE BASIN for IRRIGATION OF 1056.5 ACRES.

This right was perfected under Permit G-8979. The date of priority is JUNE 4, 1980. This right is limited to 13.21 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL NO. 1 - SW 1/4 SW 1/4, SECTION 35, TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.; 1300 FEET NORTH AND 1350 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 35;

WELL NO. 2 - NW 1/4 SE 1/4, SECTION 35, TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET NORTH AND 1280 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 35;

WELL NO. 3 - SW 1/4 NW 1/4, SECTION 2, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1340 FEET SOUTH AND 1350 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 2;

WELL NO. 4 - NW 1/4 NE 1/4, SECTION 2, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1310 FEET SOUTH AND 1280 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 2;

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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

WELL NO. 5 - SW 1/4 NE 1/4, SECTION 2, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1350 FEET SOUTH AND 1280 FEET EAST FROM THE NORTH 1/4 CORNER OF SECTION 2;

WELL NO. 6 - NW 1/4 SW 1/4, SECTION 1, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 260 FEET SOUTH AND 40 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 1;

WELL NO. 7 - NW 1/4 SW 1/4, SECTION 1, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1310 FEET SOUTH AND 1310 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 1;

WELL NO. 8 - SE 1/4 SE 1/4, SECTION 1, TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.; 1330 FEET SOUTH AND 1310 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 1; AND

WELL NO. 9 - SE 1/4 NE 1/4, SECTION 6, TOWNSHIP 26 SOUTH, RANGE 31 EAST, W.M.; 1330 FEET SOUTH AND 1310 FEET WEST FROM THE NE CORNER OF SECTION 6.

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) and 3.0 acre-feet 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:

NE 1/4 SW 1/4	32.6 ACRES
NW 1/4 SW 1/4	32.6 ACRES
SW 1/4 SW 1/4	32.6 ACRES
SE 1/4 SW 1/4	32.6 ACRES
NE 1/4 SE 1/4	32.6 ACRES
NW 1/4 SE 1/4	32.6 ACRES
SW 1/4 SE 1/4	32.6 ACRES
SE 1/4 SE 1/4	32.6 ACRES

SECTION 35

TOWNSHIP 25 SOUTH, RANGE 30 EAST, W.M.

NE 1/4 SW 1/4	32.0 ACRES
NW 1/4 SW 1/4	32.0 ACRES
SW 1/4 SW 1/4	32.0 ACRES
SE 1/4 SW 1/4	32.0 ACRES

NE 1/4 SE 1/4 33.0 ACRES
NW 1/4 SE 1/4 33.0 ACRES
SW 1/4 SE 1/4 33.0 ACRES
SE 1/4 SE 1/4 33.0 ACRES

SECTION 1

NE 1/4 NE 1/4 32.7 ACRES
NW 1/4 NE 1/4 32.7 ACRES
SW 1/4 NE 1/4 32.7 ACRES
SE 1/4 NE 1/4 32.7 ACRES
NE 1/4 NW 1/4 32.7 ACRES
NW 1/4 NW 1/4 32.7 ACRES
SW 1/4 NW 1/4 32.7 ACRES
SE 1/4 NW 1/4 32.7 ACRES

SECTION 2

TOWNSHIP 26 SOUTH, RANGE 30 EAST, W.M.

NE 1/4 NE 1/4 33.7 ACRES
NW 1/4 NE 1/4 33.8 ACRES
SW 1/4 NE 1/4 33.8 ACRES
SE 1/4 NE 1/4 33.8 ACRES
NE 1/4 NW 1/4 34.8 ACRES
NW 1/4 NW 1/4 34.7 ACRES
SW 1/4 NW 1/4 34.7 ACRES
SE 1/4 NW 1/4 34.8 ACRES

SECTION 6

TOWNSHIP 26 SOUTH, RANGE 31 EAST, W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE PLACE OF USE AND SUPERSEDES CERTIFICATE 81597.

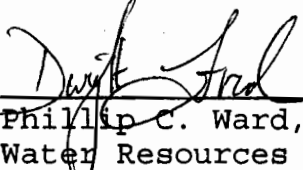
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued

JUN 29 2007


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83368.