

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

POTLATCH CORPORATION
PO BOX 38
BOARDMAN, OREGON 97818

confirms the right to use the waters of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 75.5 ACRES.

This right was perfected under Permit 36940. The date of priority is JUNE 29, 1973. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.86 CUBIC FEET PER SECOND if available at the original point of diversion: LOT 7 (NE NW), SECTION 2, T 4 N, R 25 E, WM; SOUTH 86 DEGREES 22 MINUTES 46 SECONDS WEST, 2811 FEET FROM THE NE CORNER, SECTION 2, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 7 (NE 1/4 NW 1/4), SECTION 2, T 4 N, R 25 E, WM; SOUTH 86 DEGREES 22 MINUTES 46 SECONDS WEST, 2829 FEET FROM THE NE CORNER, SECTION 2.

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 1/2 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:

NW¹/₄ NW¹/₄ 0.2 ACRES
SW¹/₄ NW¹/₄ 0.1 ACRES

SECTION 1

NE¹/₄ NE¹/₄ 7.6 ACRES
NW¹/₄ NE¹/₄ 7.5 ACRES
SW¹/₄ NE¹/₄ 7.8 ACRES
SE¹/₄ NE¹/₄ 7.9 ACRES

SECTION 2

SE¹/₄ SE¹/₄ 1.2 ACRES

SECTION 13

Township 3 North, Range 26
East, W.M.

SW¹/₄ SE¹/₄ 7.5 ACRES
SE¹/₄ SE¹/₄ 7.3 ACRES

SECTION 9

NE¹/₄ SW¹/₄ 1.3 ACRES
NW¹/₄ SW¹/₄ 2.7 ACRES
SW¹/₄ SW¹/₄ 3.9 ACRES
SE¹/₄ SW¹/₄ 3.5 ACRES
NE¹/₄ SE¹/₄ 6.6 ACRES
NW¹/₄ SE¹/₄ 4.4 ACRES
SW¹/₄ SE¹/₄ 4.5 ACRES
SE¹/₄ SE¹/₄ 1.5 ACRES

SECTION 18

TOWNSHIP 3 NORTH, RANGE 27 EAST,
W.M.

The location of the place of use is in the irrigation of 2 foot wide strips, in between the 8 foot wide strip/tree rows, which are currently being irrigated. This right provides water to enhance root development between tree rows to grow more firmly rooted trees to better resist wind throw.

The water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for controlling, measuring, and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall install and maintain a soil moisture monitoring program. The monitoring shall include the Gro-Point Sensor data (or other monitoring data of similar or superior accuracy) at 1, 3, and 5 foot depths, at a minimum of weekly intervals, beginning one week prior to the irrigation season and continuing one week past the end of the irrigation season. The monitoring program and the location of the monitoring sites shall be approved by the Watermaster. Review of the monitoring program can occur at any time with a formal request from the water user or the Watermaster. Modification to the monitoring program could occur if approved by the Watermaster.

Monitoring shall include one paired data sampling site with access tubes between adjacent tree rows for every 1000 acres of each major

soil type in each age class. Each paired site shall consist of a pair of access tubes located on the outer edge of the irrigated strip between the tree rows such that the outer edge of the sphere of influence is at the edge of the dry zone. (In this description, outer means area farthest away from the tree). Major soil types with less than 1000 acres in a given age class will have one paired site. Monitoring shall include one access tube for each soil type located outside the planted area to be used as a control for each major soil type. Soil types are as identified in the soil classification map dated 12/2/2000. This data will be supplemented with other ongoing monitoring data from tubes in the tree rows as normally required by Potlatch for accurate irrigation scheduling and as reasonably approved by the Watermaster.

Monitoring sites, monitoring data and flow data, including access to real time data on an internal web site, shall be available to the Watermaster promptly upon request.

The water user shall supply to the Watermaster bi-annual reports of water use and monitoring data. The first report will cover the period through June of each year and the second report will cover the remainder of the growing season. Monitoring equipment, monitoring sites and monitoring data, in a reasonable summary format as approved by the Watermaster, shall be available to the Watermaster promptly upon request. The water user shall promptly inform the Watermaster of encroachment events into any areas without water rights including the areas between tree rows and inform the Watermaster of the course of action to correct the problem.

If water use under the irrigation system delivers water to areas without water rights, including the area between the tree rows, the Watermaster may regulate the water use until the soil moisture and flow data demonstrate that the areas without water rights are no longer receiving water.

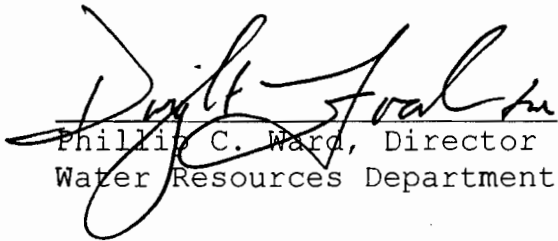
The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.

The former place of use shall no longer be irrigated as a part of this right.

This certificate is issued to confirm a change in PLACE OF USE and POINT OF DIVERSION approved by an order of the Water Resources Department entered August 11, 2004, and together with Certificates 83589, 83591, and 83592 supersedes Certificate 74193, State Record of Water Right Certificates.

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.

Issued OCT 12 2007


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83590

T-8618.RA