

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN AND JANNA VANDEN BRINK
PO BOX 165
IONE OREGON 97843

NORTHWEST FARM CREDIT SERVICES, FLCA
PO BOX 878
PENDLETON OREGON 97801

confirms the right to use the waters of WELL 2, tributary to RHEA CREEK for AGRICULTURE WATER USE ASSOCIATED WITH A DAIRY.

This right was perfected under Permit G-4592. The date of priority is September 19, 1969. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.722 cubic foot per second, if available at the original point of appropriation located in the NE¼ NE¼, Section 35, T 1 S, R 24 E, WM; 1050 Feet South and 210 feet West from the NE Corner, Section 35, or equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
1 S	24 E	WM	28	SW SE			208 FEET NORTH AND 2652 FEET EAST FROM SW CORNER, SECTION 28

The period of allowed use shall be year round.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q
1 S	24 E	WM	28	SW SW

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

The total volume of water appropriated may not exceed 357.6 acre feet of water in a calendar year, being January 1 through December 31.

The water user shall maintain the totalizing flow meters for measuring and recording the rate and volume of water appropriated from the well for exempt uses and authorized uses under this right. The water user must be able to separate and account for exempt uses and authorized uses.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

The water user shall submit a monthly record of the measurement to the Watermaster due on the 15th of each month on a form provided by the Department. The report shall contain the rate of water diverted and the total volume of water diverted for the previous month. After two years of reporting, the Watermaster has the authority to modify the frequency of reporting to a lesser standard.

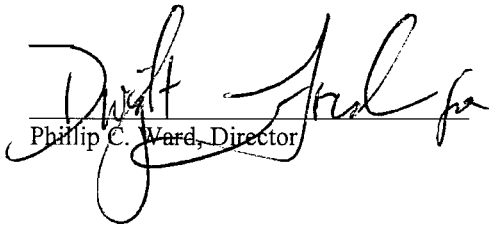
The water user shall measure the water level in the well before any new or modified water use begins. That water level shall be reported to the Department's Ground Water and Hydrology Section within 90 days from the date of measurement.

Water shall be acquired from the same aquifer as the original point of appropriation.

This certificate is issued to confirm changes in USE, PLACE OF USE, and POINT OF APPROPRIATION approved by an order of the Water Resources Director entered April 17, 2001, at Special Order Volume 55, Page 344, approving Transfer Application 8573, and supersedes Certificate 42254, 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.

Issued JUN 19 2009.


Phillip C. Ward, Director