

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. R. SIMPLOT COMPANY  
PO. BOX 27  
BOISE, ID 83707-0027

confirms the right to use the waters of WELL 4, within the UMATILLA RIVER BASIN, for USES WITHIN A FOOD PROCESSING PLANT and SUPPLEMENTAL IRRIGATION of 0.7 ACRE.

This right was perfected under Permit G-8298. The date of priority is MARCH 22, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 1200 GALLONS PER MINUTE from direct appropriation from the well for USES WITHIN A FOOD PROCESSING PLANT, provided that together with the appropriation of water for irrigation under the portion of Permit G-8298 (as modified in T-6783), shall not exceed 1200 GALLONS PER MINUTE of water measured at the well, provided that the primary source of water for irrigation and supplemental irrigation shall be from waste water from food processing, and direct appropriation from the well shall be for periods and in quantities required to make up any deficiency in the available supply from waste water providing the TOTAL QUANTITY appropriated shall not exceed 1200 GALLONS PER MINUTE from this certificate and the confirming right certificate issued for T-6783.

The amount of water to which this right is entitled is limited to an amount actually used beneficially for the SUPPLEMENTAL IRRIGATION of 0.7 acres shall not exceed 3.8 GALLONS PER MINUTE, or its equivalent in case of rotation, measured at the point of appropriation from the well.

The well is located as follows:

<b>Twp</b>	<b>Rng</b>	<b>Mer</b>	<b>Sec</b>	<b>Q - Q</b>	<b>Measured Distances</b>
4 N	28 E	WM	26	SW SE	600 FEET NORTH AND 220 FEET EAST FROM THE S¼ CORNER OF SECTION 26

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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year, provided further that in the event of a request for a change in point of appropriation, an additional point of appropriation or repair of this well, the quantity of water allowed herein together with any other right from this point of appropriation shall not exceed the capacity of this system at the time of perfection of this right. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. The right to the use of the water for the above purpose is

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

restricted to beneficial use on the lands or place of use described.

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

FOOD PROCESSING PLANT				
Twp	Rng	Mer	Sec	Q - Q
4 N	28 E	WM	27	SW SW

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acre
4 N	28 E	WM	27	SW SW	0.7

This certificate describes that portion of the water right confirmed by Certificate 52678, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered June 8, 2009, in Special Order Volume 78 Pages 48 - 65, approving Transfer Application T-6783.

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 JUN 29 2009.

  
Phillip C. Ward, Director *JE*