

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of WELL 6, within the UMATILLA RIVER BASIN, for USES WITHIN A FOOD PROCESSING PLANT.

This right was perfected under Permit G-9009. The date of priority is APRIL 23, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 1300 GALLONS PER MINUTE from direct appropriation from the wells for USES WITHIN A FOOD PROCESSING PLANT, provided that together with the appropriation of water for irrigation under the portion of Permit G-9009 (as modified in T-6783), shall not exceed 1300 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 1300 GALLONS PER MINUTE from this certificate and the confirming right certificate issued for T-6783.

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	28 E	WM	26	SW SE	WELL6 - 400 FEET NORTH AND 200 FEET EAST FROM THE S1/4 CORNER OF SECTION 26

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	

This certificate describes that portion of the water right confirmed by Certificate 52679, 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.

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, and the use shall be limited when it interferes with any prior surface or ground water rights.

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.

WITNESS the signature of the Water Resources Director, affixed JUN 29 2009.



Phillip C. Ward, Director *PCW*