

STATE OF OREGON  
 COUNTY OF UMATILLA  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HERMISTON ROCK PRODUCTS LLC  
 PO DRAWER K  
 LA GRANDE OR 97850

confirms the right to use the waters of UMATILLA RIVER, tributary of the COLUMBIA RIVER, for INDUSTRIAL USE (WASHING GRAVEL IN A GRAVEL MINING OPERATION).

This right was perfected under Permit 47723. The date of priority is APRIL 8, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.89 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 N	29 E	WM	21	SW NE			NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST 2913.19 FEET FROM W1/4 CORNER, SECTION 21

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

INDUSTRIAL USE							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 N	27 E	WM	27	SW SW			

The water user shall maintain a treatment facility to remove the sediment before returning the water to any stream.

This right is for the beneficial use of water without waste.

By law, the land use associated with this water use must be in **compliance** with statewide land-use goals and any local acknowledged land-use plan.

**NOTICE OF RIGHT TO PETITION FOR 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. 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.

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued OCT 09 2009

  
Phillip C. Ward, Director  
Water Resources Department