

STATE OF OREGON  
 COUNTY OF UMATILLA  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of WELL 6, within the UMATILLA RIVER BASIN, for USES WITHIN A FOOD PROCESSING PLANT and SUPPLEMENTAL IRRIGATION of 0.7 ACRES.

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 well for USES WITHIN A FOOD PROCESSING PLANT and SUPPLEMENTAL IRRIGATION OF 0.7 ACRES, 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	WELL#6 - 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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	28 E	WM	27	SW SW	0.70

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within 60 days of the date of service.

This certificate is issued to correct a scrivener's error in the place of use described on Certificate 85550. This Certificate supersedes Certificate 85550, and describes the portion of water right Certificate 52679, NOT modified by the provisions of an order of the Water Resources Director entered June 8, 2009 in Special Order Vol. 78, pg. 48 – 65 approving Transfer Application T-6783, and as modified by the provisions of an order recorded at Volume 78, Page 641 and 642 correcting a scrivener's error in the transfer order.

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.

WITNESS the signature of the Water Resources Director, affixed March 12, 2010.

  
Phillip C. Ward, Director