

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HALE FARMS, LLC  
73120 HIGHWAY 207  
ECHO, OR 97826

**SUPERSEDED BY**  
**CERT. NO. 91692**

confirms the right to use the waters of COLUMBIA RIVER, tributary to PACIFIC OCEAN for IRRIGATION of 2638.5 ACRES.

This right was perfected under Permit 37121. The date of priority is OCTOBER 3, 1973 and DECEMBER 11, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 18.78 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion, and is further described and limited to:

The rate, duty and priority dates for 778.5 of primary acres are:

Priority Date	Rate (CFS)	Duty (AF)
October 3, 1973 plus one minute	6.64	1,842.2
December 11, 1973 plus one minute	1.78	493.3
<b>Total:</b>	<b>8.42</b>	<b>2,335.5</b>

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to a diversion of ONE-SIXTIETH 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. The irrigation season is March 1 through October 31.

The rate, duty and priority date for 1860.0 acres are:

Priority Date	Rate (CFS)	Duty (AF)
October 3, 1973 plus one minute	8.17	1,467.9
December 11, 1973 plus one minute	2.19	393.1
<b>Total:</b>	<b>10.36</b>	<b>1861.0</b>

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to a diversion of ONE-SIXTIETH 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. The irrigation season is March 1 through October 31.

To conserve use of water in the critical ground water area, the 1,861 AF of water may be used by the water user for primary irrigation on the 1,860.0 acres covered by additional rights.

**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 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 point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
5 N	30 E	WM	8	SW NW			2910 FEET NORTH AND 120 FEET EAST FROM SW CORNER, SECTION 8

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

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

PRIMARY IRRIGATION WITH A TOTAL RATE OF 8.42 CFS AND A TOTAL DUTY OF 2,335.5 AF					
Twp	Rng	Mer	Sec	Q-Q	Acres
3N	29E	WM	13	NE SW	30.1
3N	29E	WM	13	NW SW	31.0
3N	29E	WM	13	SW SW	31.0
3N	29E	WM	13	SE SW	30.1
3N	29E	WM	14	NE SE	31.0
3N	29E	WM	14	SE SE	31.0
3N	30E	WM	5	NE SW	29.8
3N	30E	WM	5	NW SW	28.2
3N	30E	WM	5	SW SW	34.0
3N	30E	WM	5	SE SW	31.8
3N	30E	WM	7	NE NE	14.4
3N	30E	WM	7	NW NE	23.4
3N	30E	WM	7	SW NE	38.8
3N	30E	WM	7	SE NE	29.7
3N	30E	WM	7	NE SE	30.3
3N	30E	WM	7	NW SE	31.7
3N	30E	WM	7	SW SE	28.9
3N	30E	WM	7	SE SE	31.3
3N	30E	WM	8	NE NW	30.5
3N	30E	WM	8	NW NW	31.4
3N	30E	WM	8	SW NW	31.2
3N	30E	WM	8	SE NW	30.7
3N	30E	WM	8	NE SW	31.0
3N	30E	WM	8	NW SW	28.1
3N	30E	WM	8	SW SW	27.5
3N	30E	WM	8	SE SW	31.6
<b>Total:</b>					<b>778.5</b>

**IRRIGATION WITH A TOTAL RATE OF  
10.36 CFS AND A TOTAL DUTY OF 1861.0 AF**

Twp	Rng	Mer	Sec	Q-Q	GLOT	Acres
3N	29E	WM	1	NE NE	1	15.9
3N	29E	WM	1	NW NE	2	30.4
3N	29E	WM	1	SW NE		31.7
3N	29E	WM	1	SE NE		17.6
3N	29E	WM	1	NE NW	3	30.5
3N	29E	WM	1	NW NW	4	38.7
3N	29E	WM	1	SW NW		36.4
3N	29E	WM	1	SE NW		18.7
3N	29E	WM	1	NE SW		22.7
3N	29E	WM	1	NW SW		40.0
3N	29E	WM	1	SW SW		31.1
3N	29E	WM	1	SE SW		39.0
3N	29E	WM	1	NE SE		11.6
3N	29E	WM	1	NW SE		40.0
3N	29E	WM	1	SW SE		25.1
3N	29E	WM	1	SE SE		11.0
3N	29E	WM	2	NE NE	1	29.2
3N	29E	WM	2	NW NE	2	34.0
3N	29E	WM	2	SW NE		29.2
3N	29E	WM	2	SE NE		33.3
3N	29E	WM	2	NE SE		34.7
3N	29E	WM	2	NW SE		38.1
3N	29E	WM	2	SW SE		26.9
3N	29E	WM	2	SE SE		33.1
3N	29E	WM	9	NW NE		3.6
3N	29E	WM	9	SW NE		37.5
3N	29E	WM	9	SE NE		0.6
3N	29E	WM	9	NW SE		26.2
3N	29E	WM	11	NE NE		40.0
3N	29E	WM	11	NW NE		36.4
3N	29E	WM	11	SW NE		7.0
3N	29E	WM	11	SE NE		12.4
3N	29E	WM	11	NE NW		30.7
3N	29E	WM	11	NW NW		30.7
3N	29E	WM	11	SW NW		27.2
3N	29E	WM	11	SE NW		26.0
3N	29E	WM	11	NE SW		15.3
3N	29E	WM	11	NW SW		23.0
3N	29E	WM	11	SW SW		22.3
3N	29E	WM	11	SE SW		22.9
3N	29E	WM	12	NE NE		39.6
3N	29E	WM	12	NW NE		38.2
3N	29E	WM	12	SW NE		25.9
3N	29E	WM	12	SE NE		22.3

IRRIGATION WITH A TOTAL RATE OF 10.36 CFS AND A TOTAL DUTY OF 1861.0 AF						
Twp	Rng	Mer	Sec	Q-Q	GLOT	Acres
3N	29E	WM	12	NE NW		32.6
3N	29E	WM	12	NW NW		28.0
3N	29E	WM	12	SW NW		35.9
3N	29E	WM	12	SE NW		36.7
3N	29E	WM	12	NE SW		29.3
3N	29E	WM	12	NW SW		25.4
3N	29E	WM	12	NE SE		35.7
3N	29E	WM	12	NW SE		39.9
3N	29E	WM	12	SW SE		9.0
3N	29E	WM	12	SE SE		10.1
3N	30E	WM	6	NW NW	4	44.7
3N	30E	WM	6	SW NW	5	51.3
3N	30E	WM	6	SE NW		3.5
3N	30E	WM	6	NE SW		35.5
3N	30E	WM	6	NW SW	6	39.5
3N	30E	WM	6	SW SW	7	27.8
3N	30E	WM	6	SE SW		23.3
3N	30E	WM	7	NE NW		27.7
3N	30E	WM	7	NW NW	1	29.1
3N	30E	WM	7	SW NW	2	11.4
3N	30E	WM	7	SE NW		10.7
3N	30E	WM	7	NW SW	3	49.1
3N	30E	WM	7	SW SW	4	37.1
<b>Total:</b>					<b>1860.0</b>	

The water user must maintain the totalizing flow meters, or other measurement system as approved by the Department, in good working order according to manufacturer's specifications. A different plan for measurement of diverted water at each field diversion, which is acceptable to, and approved by the Department may be allowed. Testing of the approved measurement devices shall occur at such intervals as deemed appropriate and necessary by the Watermaster.

The totalizing flow meters or other measurement system shall be located as follows:

- a) The point of diversion from the Columbia River and all other points of diversion or appropriation, which supply water to the lands;
- b) The northern boundary connection of the Echo Irrigation District; and
- c) All field diversions (center pivots or other method of water delivery) used to apply water to the lands described above.

The water user shall maintain a complete record of water usage on a monthly basis and shall submit monthly and annual reports to the Watermaster's office in Pendleton. The water use reports shall include recorded monthly water usage measurements from each point of diversion, the measurement device located at the North Echo ID boundary connection and for each field diversion (center pivot or other means of application). The reports shall also include dates of measurement and other information as may be requested by the Watermaster. The frequency or timing of the reports may be modified upon a determination by the Department that an alternate frequency is needed or appropriate. The reporting frequency may also be modified after the second full season of use, if requested by the water user and approved by the Department. The reports may be e-mailed, faxed or mailed.

The water user shall allow the Watermaster access to the water meters described above. Where a meter is located within a private structure, the Watermaster shall request access upon reasonable notice.

Additional measurement and reporting conditions, including, but not limited to, additional measuring sites, general water-use information and the place and nature of water use may be required at the discretion of the Department.

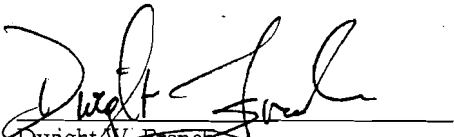
This certificate is issued to confirm the use of conserved water approved by an order of the Water Resources Director entered July 15, 2009 at Special Order Volume 78, Page 425, approving Conserved Water Application 58, and together with Certificates 85670 and 86069, supersedes Certificate 80912, State record of Water Right Certificates.

The use of water shall be limited when it interferes with the prior SURFACE WATER rights of others.

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.

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

Issued APR 23 2010



Dwight V. French  
Administrator Water Rights and Adjudications, for  
Phillip C. Ward, Director