

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERRA POMA LAND CO, LLC
GLENN CHOWNING
PO BOX 862
HERMISTON, OR 97838

confirms the right to use the waters of HILLVIEW SUMP WELL #5 in the COLUMBIA RIVER BASIN for IRRIGATION OF 11.5 ACRES and SUPPLEMENTAL IRRIGATION OF 228.9 ACRES.

This right was perfected under Permit G-13419. The date of priority is FEBRUARY 7, 1997. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and SHALL NOT EXCEED 1.5 CUBIC FEET PER SECOND (CFS), being, in any combination, no more than 0.146 cfs for IRRIGATION and 1.5 cfs for SUPPLEMENTAL IRRIGATION, or its equivalent in case of rotation, measured at the well.

The period of allowed use is March 1 through October 31 of each year.

The well is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	SE NE	3800 FEET NORTH AND 2460 FEET EAST FROM THE S1/4 CORNER OF SECTION 13

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. 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					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	13	NE SE	1.8
4 N	25 E	WM	13	NW SE	9.7
TOTAL:					11.5

This is a final 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.

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	13	NE NE	4.3
4 N	25 E	WM	13	NW NE	29.4
4 N	25 E	WM	13	SW NE	34.5
4 N	25 E	WM	13	SW NE	6.9
4 N	25 E	WM	13	SE NE	16.6
4 N	25 E	WM	13	NE NW	6.5
4 N	25 E	WM	13	SE NW	8.4
4 N	25 E	WM	13	SE SW	23.5
4 N	25 E	WM	13	NE SE	20.5
4 N	25 E	WM	13	NW SE	14.9
4 N	25 E	WM	13	SW SE	32.2
4 N	25 E	WM	13	SE SE	31.2
TOTAL:					228.9

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

This certificate describes that portion of the water right confirmed by Certificate 86395 State Record of Water Right Certificates, as modified by the provisions of an order of the Water Resources Director entered **AUG 10 2010** , approving Transfer Application T-10998 and diminishing a portion of this right.

If substantial interference with a senior water right occurs due to withdrawal of water from the well listed on this right, then use of water from the well shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences. The use of water shall be limited when it interferes with any prior surface or ground water rights.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Ground water for use under this right shall be produced from no deeper than 15 feet below land surface.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at

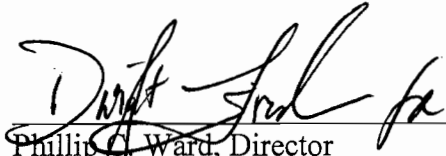
all times.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end. Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2010, 2010.


Phillip J. Ward, Director
Water Resources Department