

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

AG DRYERS INC.
PO BOX 280
VALE OR 97918

confirms the right to use the waters of THREE WELLS, in the MALHEUR RIVER BASIN for AGRICULTURAL COMMODITY DRYING.

This right was perfected under Permit G-9978. The date of priority is MAY 9, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.39 CUBIC FOOT PER SECOND, if available at the authorized point of appropriation, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Original	18 S	45 E	WM	20	SW SE	60 FEET SOUTH & 60 FEET WEST FROM SE CORNER, NESWSE, SECTION 20
1	18 S	45 E	WM	20	SW SE	252 FEET NORTH & 249 FEET WEST FROM SW CORNER, SESE, SECTION 20
2	18 S	45 E	WM	20	SW SE	302 FEET NORTH & 272 FEET WEST FROM SW CORNER, SESE, SECTION 20

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:

Twp	Rng	Mer	Sec	Q-Q
18 S	45 E	WM	20	SW SE

The use of water for agricultural commodity drying in excess of 5,000 gallons per day shall be subsequent in priority to any future beneficial consumptive use.

The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water available at the original points of appropriation for each priority.

When required by the Department, the water users shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the controlling and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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 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.

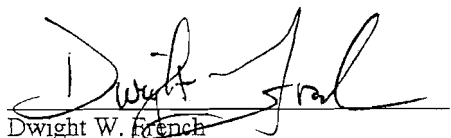
The portion of the right perfected under Permit G-9978 for use of 0.39 cubic foot per second of water for heating and/or cooling in the processing of mushrooms in the SE¼ SE¼, Section 20, shall be combined with the portion of the right perfected under Permit G-10101 for use of 0.13 cubic foot per second of water for heating and/or cooling in the processing of mushrooms in the SE¼ SE¼, Section 20. The two rights may not be separated in the future, except to return the rights as originally perfected.

These rights are subject to an agreement between Ag-Dryers, Inc. OTM Co., West One Bank, and Rakhra Mushroom Farm Corp, dated December 4, 1990, and by reference made a part hereof.

This certificate is issued to confirm a change in PLACE OF USE AND ADDITIONAL POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered June 9, 1997, at Special Order Volume 51, Page 528, approving Transfer Application 7371, and supersedes Certificate 55594, State record of Water Right Certificates.

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.

Issued NOV 12 2010



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