

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HALE FARMS LLC
73120 HWY 207
ECHO OR 97826

confirms the right to use the waters of FOUR WELLS, tributary to UMATILLA RIVER for IRRIGATION of 120.45 ACRES.

This right was perfected under Permit G-5337. The date of priority is OCTOBER 21, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.25 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	14	SW NW	HALE WELL #8 - 1350 FEET SOUTH AND 50 FEET WEST FROM NE CORNER, NWNW, SECTION 14
3 N	29 E	WM	23	SE NE	COPPINGER WELL #3 - 3960 FEET NORTH AND 1320 FEET WEST FROM SE CORNER, SECTION 23
3 N	29 E	WM	24	SW NE	COPPINGER WELL #1 - 20 FEET NORTH AND 1490 FEET WEST FROM E1/4 CORNER, SECTION 24
3 N	30 E	WM	7	SW SW	HALE WELL #3 - 1420 FEET SOUTH AND 40 FEET EAST FROM W1/4 CORNER, SECTION 7

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, 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 used herein shall include any time of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season, provided the amount of water used at the authorized place of use, together with the amount of water approved for use under Certificate 86679 shall not exceed 1.86 cubic feet per second and 1,014.56 acre-feet per year, which reflect the capacity of the well system at the time of perfection attributable to the rights modified by T-10692.

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

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	23	SW NE	0.05
3 N	29 E	WM	23	SE NE	0.40
3 N	29 E	WM	23	NE SE	30.80
3 N	29 E	WM	23	NW SE	5.10
3 N	29 E	WM	23	SE SE	6.30
3 N	29 E	WM	24	NE NW	11.50
3 N	30 E	WM	6	NE SE	29.40
3 N	30 E	WM	6	NW SE	2.50
3 N	30 E	WM	6	SW SE	3.40
3 N	30 E	WM	6	SE SE	31.00

The quantity of water diverted at the new points of appropriation (wells), together with the quantity diverted from the original point of appropriation, REW Well #1, shall not exceed the quantity of water lawfully available from the original point of appropriation. The quantity of water allowed to be diverted from REW WELL #1 for the rights perfected under Permits G-5335 and G-5337 is limited to a quantity of water not to exceed 2.0 cubic feet per second, the capacity of the well system at the time of perfection of the rights.

Measurement, recording and reporting conditions:

1. Before water may be applied to the lands, the water user shall install totalizing flow meters or other measurement systems as approved by the Department at:
 - a) The point of diversion from the Columbia River and all other points of diversion or appropriation, which supply water to the new 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.

Additionally, the meters must be maintained 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.

2. 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 Irrigation District 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.
3. 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.
4. 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.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

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.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered April 15, 2011, at Special Order Volume 83, Page 1022, approving Transfer Application 11149, and supersedes Certificate 86680, State Record of Water Right Certificates.

Issued July 9 2012

E. Timothy Wall for

Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director