

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

R D OFFUTT COMPANY-NORTHWEST
75906 THREEMILE RD
BOARDMAN OR 97818

NEIL & JEAN COOPER
205 MAIN AVE
LA GRANDE OR 97850

confirms the right to use the waters of TWO WELLS in the Grande Ronde River Basin for IRRIGATION of 626.7 ACRES.

This right was perfected under Permit G-13820. The date of priority is JULY 16, 1997. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 7.83 CUBIC FEET PER SECOND (CFS), BEING 3.99 CFS FROM EACH WELL.

The period of use is May 1 through October 15.

The wells are located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|-----|------|-----|-----|-------|--|
| 3 S | 38 E | WM | 13 | SW SW | PIERCE ROAD WELL - 1280 FEET NORTH & 80 FEET EAST FROM SW CORNER, SECTION 13 |
| 3 S | 38 E | WM | 14 | NE SW | COOPER WELL - 2520 FEET NORTH & 2769 FEET WEST FROM SE CORNER, SECTION 14 |

The amount of water used for irrigation under this right, 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) and 3 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use for R D Offutt Company Northwest is as follows appropriating water from the Pierce Road Well and the Cooper Well:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-----|------|-----|-----|-------|-------|
| 3 S | 38 E | WM | 13 | NE SW | 40.0 |
| 3 S | 38 E | WM | 13 | NW SW | 39.1 |
| 3 S | 38 E | WM | 13 | SW SW | 38.2 |
| 3 S | 38 E | WM | 13 | SE SW | 39.1 |
| 3 S | 38 E | WM | 13 | NE SE | 40.0 |

SUPERSEDED BY
CERT. NO. 92211
7-11830
90123

NOTICE OF RIGHT TO PETITION FOR 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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-----|------|-----|-----|-------|-------|
| 3 S | 38 E | WM | 13 | NW SE | 40.0 |
| 3 S | 38 E | WM | 13 | SW SE | 36.6 |
| 3 S | 38 E | WM | 13 | SE SE | 39.1 |
| 3 S | 38 E | WM | 14 | NE SE | 39.1 |
| 3 S | 38 E | WM | 14 | NW SE | 40.0 |
| 3 S | 38 E | WM | 14 | SW SE | 39.1 |
| 3 S | 38 E | WM | 14 | SE SE | 38.2 |

A description of the place of use for Neil & Jean Cooper is as follows appropriating water from the Cooper Well:

| Twp | Rng | Mer | Sec | Q-Q | Acres |
|-----|------|-----|-----|-------|-------|
| 3 S | 38 E | WM | 14 | NE SW | 40.0 |
| 3 S | 38 E | WM | 14 | NW SW | 40.0 |
| 3 S | 38 E | WM | 14 | SW SW | 39.1 |
| 3 S | 38 E | WM | 14 | SE SW | 39.1 |

Measurement, recording and reporting conditions:

- A. The water users shall maintain the meter or other suitable 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 users to report general water use information, including the place and nature of use of water under the right.
- B. The water users 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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) 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 interference.

Use of water under this right may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

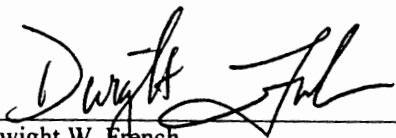
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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.

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 use of water shall be limited when it interferes with any prior surface or ground water rights.

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