

STATE OF OREGON
 COUNTY OF MORROW
 CERTIFICATE OF WATER RIGHT

SUPERSEDED BY
 CERT. NO. 91597

THIS CERTIFICATE ISSUED TO

PORT OF MORROW
 PO BOX 200
 2 MARINE DR
 BOARDMAN OR 97818

WESTLAND ENTERPRISES, LLC
 C/O ROBERT LEVY
 822 HWY S #423
 HERMISTON OR 97838

confirms the right to the use of water perfected under the terms of Permit S-35694. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the points of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCES OF WATER:

COLUMBIA RIVER, A TRIBUTARY OF THE PACIFIC OCEAN, AND
 POA #1 - TOADVIN POND IN THE UMATILLA RIVER BASIN

PURPOSE OR USES:

IRRIGATION OF 2183.0 ACRES FROM COLUMBIA RIVER,
 IRRIGATION OF 403.2 ACRES FROM POA #1 - TOADVIN POND, AND
 MUNICIPAL USE FROM COLUMBIA RIVER

MAXIMUM RATES:

43.95 CUBIC FEET PER SECOND (CFS) FROM COLUMBIA RIVER, BEING 42.16 CFS FOR IRRIGATION OF 2183.0 ACRES AND NO MORE THAN 1.79 CFS FOR MUNICIPAL USE, FURTHER LIMITED TO 417.6 ACRE-FEET PER THE SEASON OF USE, AND
 7.79 CFS FROM POA #1 - TOADVIN POND FOR IRRIGATION OF 403.2 ACRES

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 5, 1971

The points of diversion/appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	10	NW NE		POA #1 - TOADVIN POND (NEW WELL) - 1197 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 10
5 N	25 E	WM	35	SW SE	3	COLUMBIA RIVER DIVERSION (ORIGINAL DIVERSION) - 80 FEET NORTH AND 2480 FEET WEST FROM SE CORNER, SECTION 35

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 183.482. 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 137-003-0675, 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.

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-FORTIETH 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 4.5 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 is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Source
4 N	25 E	WM	1	NE NE	1	30.3	Columbia River
4 N	25 E	WM	1	NW NE	2	33.8	Columbia River
4 N	25 E	WM	1	SW NE		34.3	Columbia River
4 N	25 E	WM	1	SE NE		20.0	Columbia River
4 N	25 E	WM	1	NE NW	3	0.8	Columbia River
4 N	25 E	WM	1	NW NW	4	5.9	Columbia River
4 N	25 E	WM	1	SW NW		25.1	Columbia River
4 N	25 E	WM	1	SE NW		37.3	Columbia River
4 N	25 E	WM	1	NE SW		35.8	Columbia River
4 N	25 E	WM	1	NW SW		18.3	Columbia River
4 N	25 E	WM	1	NE SE		35.4	Columbia River
4 N	25 E	WM	1	NW SE		34.7	Columbia River
4 N	25 E	WM	1	SW SE		11.7	Columbia River
4 N	25 E	WM	1	SE SE		33.8	Columbia River
4 N	25 E	WM	2	NE NE	1	35.5	Columbia River
4 N	25 E	WM	2	NW NE	5	3.3	Columbia River
4 N	25 E	WM	2	SE NE		29.3	Columbia River
4 N	25 E	WM	12	NE NE		38.1	Columbia River
4 N	25 E	WM	12	NW NE		17.5	Columbia River
4 N	25 E	WM	12	SW NE		9.2	Columbia River
4 N	25 E	WM	12	SE NE		15.2	Columbia River
4 N	25 E	WM	12	SE NW		0.1	Columbia River
4 N	25 E	WM	23	NE NE		31.6	Toadvin Pond (Well)
4 N	25 E	WM	23	NW NE		30.5	Toadvin Pond (Well)
4 N	25 E	WM	23	SW NE		35.8	Toadvin Pond (Well)
4 N	25 E	WM	23	SE NE		31.3	Toadvin Pond (Well)
4 N	25 E	WM	23	NE NW		31.4	Toadvin Pond (Well)
4 N	25 E	WM	23	NW NW		30.8	Toadvin Pond (Well)
4 N	25 E	WM	23	SW NW		35.6	Toadvin Pond (Well)
4 N	25 E	WM	23	SE NW		36.3	Toadvin Pond (Well)
4 N	25 E	WM	23	NE SW		5.0	Toadvin Pond (Well)
4 N	25 E	WM	23	NW SW		4.1	Toadvin Pond (Well)
4 N	25 E	WM	23	NE SE		32.2	Toadvin Pond (Well)
4 N	25 E	WM	23	NW SE		35.8	Toadvin Pond (Well)
4 N	25 E	WM	23	SW SE		29.9	Toadvin Pond (Well)
4 N	25 E	WM	23	SE SE		32.9	Toadvin Pond (Well)
4 N	26 E	WM	4	SW NW		12.8	Columbia River
4 N	26 E	WM	4	NW SW		0.5	Columbia River
4 N	26 E	WM	4	SW SW		31.2	Columbia River
4 N	26 E	WM	5	SW NE		2.4	Columbia River
4 N	26 E	WM	5	NE SW		13.6	Columbia River
4 N	26 E	WM	5	NW SW		20.7	Columbia River
4 N	26 E	WM	5	SW SW		9.7	Columbia River

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Source
4 N	26 E	WM	5	SE SW		1.7	Columbia River
4 N	26 E	WM	5	NE SE		0.4	Columbia River
4 N	26 E	WM	5	NW SE		29.4	Columbia River
4 N	26 E	WM	5	SW SE		18.2	Columbia River
4 N	26 E	WM	5	SE SE		36.5	Columbia River
4 N	26 E	WM	6	SW NE		0.5	Columbia River
4 N	26 E	WM	6	SE NE		6.6	Columbia River
4 N	26 E	WM	6	NE NW	3	31.1	Columbia River
4 N	26 E	WM	6	NW NW	4	34.5	Columbia River
4 N	26 E	WM	6	SW NW	5	12.0	Columbia River
4 N	26 E	WM	6	SE NW		8.5	Columbia River
4 N	26 E	WM	6	NE SW		32.4	Columbia River
4 N	26 E	WM	6	NW SW	6	30.9	Columbia River
4 N	26 E	WM	6	SW SW	7	39.7	Columbia River
4 N	26 E	WM	6	SE SW		40.1	Columbia River
4 N	26 E	WM	6	NE SE		34.3	Columbia River
4 N	26 E	WM	6	NW SE		31.0	Columbia River
4 N	26 E	WM	6	SW SE		33.7	Columbia River
4 N	26 E	WM	6	SE SE		18.0	Columbia River
4 N	26 E	WM	7	NE NE		36.3	Columbia River
4 N	26 E	WM	7	NW NE		32.9	Columbia River
4 N	26 E	WM	7	SW NE		29.6	Columbia River
4 N	26 E	WM	7	SE NE		24.6	Columbia River
4 N	26 E	WM	7	NE NW		30.6	Columbia River
4 N	26 E	WM	7	NW NW	1	29.3	Columbia River
4 N	26 E	WM	7	SW NW	2	30.5	Columbia River
4 N	26 E	WM	7	SE NW		40.9	Columbia River
4 N	26 E	WM	7	NE SW		11.2	Columbia River
4 N	26 E	WM	7	NW SW	3	0.4	Columbia River
4 N	26 E	WM	7	NE SE		15.7	Columbia River
4 N	26 E	WM	7	NW SE		0.9	Columbia River
4 N	26 E	WM	7	SE SE		0.6	Columbia River
4 N	26 E	WM	8	NE NE		34.9	Columbia River
4 N	26 E	WM	8	NW NE		39.1	Columbia River
4 N	26 E	WM	8	SW NE		19.4	Columbia River
4 N	26 E	WM	8	SE NE		23.0	Columbia River
4 N	26 E	WM	8	NE NW		17.6	Columbia River
4 N	26 E	WM	8	NW NW		21.7	Columbia River
4 N	26 E	WM	8	SW NW		21.2	Columbia River
4 N	26 E	WM	8	SE NW		30.2	Columbia River
4 N	26 E	WM	8	NE SW		34.4	Columbia River
4 N	26 E	WM	8	NW SW		30.5	Columbia River
4 N	26 E	WM	8	SW SW		6.5	Columbia River
4 N	26 E	WM	8	SE SW		14.9	Columbia River
4 N	26 E	WM	8	NE SE		34.2	Columbia River
4 N	26 E	WM	8	NW SE		33.3	Columbia River
4 N	26 E	WM	8	SW SE		32.5	Columbia River
4 N	26 E	WM	8	SE SE		33.5	Columbia River
4 N	26 E	WM	9	NE NE		12.7	Columbia River
4 N	26 E	WM	9	NW NE		2.8	Columbia River
4 N	26 E	WM	9	SW NE		35.9	Columbia River

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Source
4 N	26 E	WM	9	SE NE		38.3	Columbia River
4 N	26 E	WM	9	NE NW		0.4	Columbia River
4 N	26 E	WM	9	NW NW		27.4	Columbia River
4 N	26 E	WM	9	SW NW		25.9	Columbia River
4 N	26 E	WM	9	SE NW		28.4	Columbia River
4 N	26 E	WM	9	NE SW		36.8	Columbia River
4 N	26 E	WM	9	NW SW		37.1	Columbia River
4 N	26 E	WM	9	SW SW		31.2	Columbia River
4 N	26 E	WM	9	SE SW		32.2	Columbia River
4 N	26 E	WM	9	NE SE		30.5	Columbia River
4 N	26 E	WM	9	NW SE		36.4	Columbia River
4 N	26 E	WM	9	SW SE		30.0	Columbia River
4 N	26 E	WM	9	SE SE		30.8	Columbia River

MUNICIPAL USE					
Twp	Rng	Mer	Sec	Q-Q	Source
4 N	25 E	WM	1	ALL	Columbia River
4 N	25 E	WM	2	ALL	Columbia River
4 N	25 E	WM	3	S1/2 S1/2 N1/2 SE1/4	Columbia River
4 N	25 E	WM	3	S1/2 SE1/4	Columbia River
4 N	25 E	WM	3	S1/2 S1/2 N1/2 SW1/4	Columbia River
4 N	25 E	WM	3	S1/2 SW1/4	Columbia River
4 N	25 E	WM	4	S1/2 S1/2 N1/2 SE1/4	Columbia River
4 N	25 E	WM	4	S1/2 NE1/4 SW1/4	Columbia River
4 N	25 E	WM	4	SE1/4 SW1/4	Columbia River
4 N	25 E	WM	9	N1/2 NE1/4	Columbia River
4 N	25 E	WM	9	N1/2 S1/2 NE1/4	Columbia River
4 N	25 E	WM	9	NE1/4 NW1/4	Columbia River
4 N	25 E	WM	9	N1/2 SE1/4 NW1/4	Columbia River
4 N	25 E	WM	10	ALL	Columbia River
4 N	25 E	WM	11	ALL	Columbia River
4 N	25 E	WM	12	ALL	Columbia River
4 N	25 E	WM	13	ALL	Columbia River
4 N	25 E	WM	14	ALL	Columbia River
4 N	25 E	WM	15	ALL	Columbia River
4 N	25 E	WM	22	ALL	Columbia River
4 N	25 E	WM	23	ALL	Columbia River
4 N	25 E	WM	24	ALL	Columbia River
4 N	26 E	WM	3	NW1/4 NW1/4 NW1/4	Columbia River
4 N	26 E	WM	4	ALL	Columbia River
4 N	26 E	WM	5	ALL	Columbia River
4 N	26 E	WM	6	ALL	Columbia River
4 N	26 E	WM	7	ALL, NORTH OF STATE HWY #730 AND U.P.R.R.	Columbia River
4 N	26 E	WM	8	ALL, NORTH OF U.P.R.R.	Columbia River
4 N	26 E	WM	9	ALL	Columbia River
4 N	26 E	WM	18	NW1/4, SOUTH OF FRONTAGE ROAD	Columbia River
5 N	26 E	WM	31	ALL, SOUTH OF COLUMBIA BLVD	Columbia River
5 N	26 E	WM	32	ALL	Columbia River
5 N	26 E	WM	33	ALL	Columbia River

Water shall be acquired from the same surface water source as the original point of diversion.

The quantity of water diverted at the new point of diversion (Toadvin Pond – Well), together with that diverted at the original point of diversion (Columbia River), shall not exceed the quantity of water lawfully available at the original point of diversion.

The water user shall maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated.

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 changes in PLACE OF USE, POINT OF DIVERSION FROM SURFACE WATER TO GROUNDWATER (Toadvin Pond - Well), and CHARACTER OF USE approved by an order of the Water Resources Director entered NOVEMBER 29, 2004, at Special Order Volume 62, Page 236, approving Transfer Application 9601. This certificate is also issued to confirm non-completion of a change in point of diversion in accordance with OAR 690-380-6010, approved by an order of the Water Resources Director entered APRIL _____, 2016 at Special Order 98, Page 984. This certificate, together with Certificate 80921, supersedes Certificate 76360, State record of Water Right Certificates.

Issued APR 28 2016



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department