

STATE OF OREGON
COUNTIES OF UMATILLA AND MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FARMLAND RESERVE INC.
C/O AGRINORTHWEST
6716 W RIO GRANDE
KENNEWICK WA 99336

confirms the right to the use of water perfected under the terms of Permit S-36940. 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 point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: COLUMBIA RIVER, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: IRRIGATION OF 866.76 ACRES, BEING 5.25 CFS FROM POD 1 FOR IRRIGATION OF 497.83 ACRES AND 3.89 CFS FROM POD 2 FOR IRRIGATION OF 368.93 ACRES

MAXIMUM RATE: 9.14 CUBIC FEET PER SECOND (CFS), BEING 5.25 CFS FROM POD 1 AND 3.89 CFS FROM POD 2

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 29, 1973

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	2	NE NW	7	POD 1 (ORIGINAL) - SOUTH 86 DEGREES 22 MINUTES 46 SECONDS WEST, 2829 FEET FROM NE CORNER, SECTION 2
5 N	30 E	WM	8	SW NW		POD 2 (NEW) - 2910 FEET NORTH AND 120 FEET EAST FROM SW CORNER, SECTION 8

The amount of water used for irrigation is limited to 1/95 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 1.53 acre-feet per acre for each acre irrigated during the irrigation season of each year, and limited to an annual volume of 1325.07 acre feet, being 761.06 acre feet from POD 1 and 564.01 acre feet from POD 2.

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

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.

A description of the place of use is as follows:

IRRIGATION FROM POD 1							
Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Acres
2 N	28 E	WM	5	NE NE	1	900	31.39
2 N	28 E	WM	5	NW NE	2	900	30.43
2 N	28 E	WM	5	SW NE		900	31.35
2 N	28 E	WM	5	SE NE		900	30.43
2 N	28 E	WM	5	NE SW		900	31.75
2 N	28 E	WM	5	NW SW		900	30.77
2 N	28 E	WM	5	SW SW		900	31.71
2 N	28 E	WM	5	SE SW		900	30.77
2 N	28 E	WM	5	NE SE		900	31.38
2 N	28 E	WM	5	NW SE		900	30.44
2 N	28 E	WM	5	SW SE		900	31.34
2 N	28 E	WM	5	SE SE		900	30.44
2 N	28 E	WM	8	SW NE		1600	1.13
2 N	28 E	WM	8	NE SW		1700	14.33
2 N	28 E	WM	8	SE SW		1700	12.07
2 N	28 E	WM	8	NE SE		1700	12.74
2 N	28 E	WM	8	NW SE		1700	39.83
2 N	28 E	WM	8	SW SE		1700	35.70
2 N	28 E	WM	8	SE SE		1700	9.83

IRRIGATION FROM POD 2						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29E	WM	3	NE NE	400	30.73
3 N	29E	WM	3	NW NE	400	34.24
3 N	29E	WM	3	SW NE	400	32.16
3 N	29E	WM	3	SE NE	400	28.26
3 N	29E	WM	3	NE NW	400	0.37
3 N	29E	WM	3	SE NW	400	0.30
3 N	29E	WM	3	NE SW	400	29.31
3 N	29E	WM	3	NW SW	400	29.91
3 N	29E	WM	3	SW SW	400	30.28
3 N	29E	WM	3	SE SW	400	28.43
3 N	29E	WM	3	NE SE	400	30.00
3 N	29E	WM	3	NW SE	400	32.88
3 N	29E	WM	3	SW SE	400	32.90
3 N	29E	WM	3	SE SE	400	29.16

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of diversion (new and existing).
- 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.

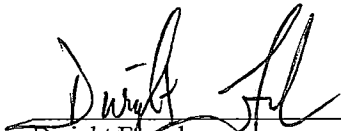
To prevent expansion of the original right (Certificate 79482), Farmland Reserve, Inc., shall install such measuring devices deemed appropriate by the District #5 Watermaster.

The quantity of water diverted at the new point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

This certificate is issued to confirm an ALLOCATION OF CONSERVED WATER approved by an order of the Water Resources Director entered MAY 27, 2014, and recorded at Special Order Volume 92, Page 615, approving Conserved Water Application CW-84, and the disposition of the conserved water entered September 5, 2017, and recorded in Special Order Volume 105, Page 716. This certificate together with Certificates 89303, 89304, and 89305, supersede Certificate 79482, State Record of Water Right Certificates.

Issued JUL 10 2018


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

