

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PORT OF MORROW
PO BOX 200
2 MARINE DRIVE
BOARDMAN, OR 97818

WESTLAND ENTERPRISESLLC
C/O BOB LEVY
822 HWY S #423
HERMISTON, OR 97838

confirms the right to use the water perfected under the terms of Permit S-35694. The amount of water used to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed the amount specified, or its equivalent in case of rotation, measured at the point 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 1035.5 ACRES FROM THE COLUMBIA RIVER
IRRIGATION of 403.2 ACRES FROM POA #1 - TOADVIN POND, AND
MUNICIPAL USE FROM COLUMBIA RIVER

MAXIMUM RATES:

21.79 CUBIC FEET PER SECOND (CFS) FROM COLUMBIA RIVER, BEING 20.00 CFS FOR IRRIGATION OF 1035.5 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 THE NE CORNER OF SECTION 10

This is a final 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 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.

Twp	Rng	Mer	Sec	Q - Q	GLot	Measured Distances
5 N	25 E	WM	35	SW SE	3	COLUMBIA RIVER DIVERSION (ORIGINAL DIVERSION) -80 FEET NORTH AND 2480 FEET WEST FROM THE SE CORNER OF SECTION 35

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 places of use to which this right is appurtenant are as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Source
4 N	25 E	WM	23	NE NE	31.60	Toadvin Pond (Well)
4 N	25 E	WM	23	NW NE	30.50	Toadvin Pond (Well)
4 N	25 E	WM	23	SW NE	35.80	Toadvin Pond (Well)
4 N	25 E	WM	23	SE NE	31.30	Toadvin Pond (Well)
4 N	25 E	WM	23	NE NW	31.40	Toadvin Pond (Well)
4 N	25 E	WM	23	NW NW	30.80	Toadvin Pond (Well)
4 N	25 E	WM	23	SW NW	35.60	Toadvin Pond (Well)
4 N	25 E	WM	23	SE NW	36.30	Toadvin Pond (Well)
4 N	25 E	WM	23	NE SW	5.00	Toadvin Pond (Well)
4 N	25 E	WM	23	NW SW	4.10	Toadvin Pond (Well)
4 N	25 E	WM	23	NE SE	32.20	Toadvin Pond (Well)
4 N	25 E	WM	23	NW SE	35.80	Toadvin Pond (Well)
4 N	25 E	WM	23	SW SE	29.90	Toadvin Pond (Well)
4 N	25 E	WM	23	SE SE	32.90	Toadvin Pond (Well)
Total					403.20	

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Source
4 N	26 E	WM	4	SW NW	12.80	Columbia River
4 N	26 E	WM	4	NW SW	0.50	Columbia River
4 N	26 E	WM	4	SW SW	31.20	Columbia River
4 N	26 E	WM	5	SW NE	2.40	Columbia River
4 N	26 E	WM	5	NE SW	13.60	Columbia River
4 N	26 E	WM	5	NW SW	20.70	Columbia River
4 N	26 E	WM	5	SW SW	9.70	Columbia River
4 N	26 E	WM	5	SE SW	1.70	Columbia River
4 N	26 E	WM	5	NE SE	0.40	Columbia River
4 N	26 E	WM	5	NW SE	29.40	Columbia River
4 N	26 E	WM	5	SW SE	18.20	Columbia River
4 N	26 E	WM	5	SE SE	36.50	Columbia River
4 N	26 E	WM	7	NE SE	15.70	Columbia River
4 N	26 E	WM	7	SE SE	0.60	Columbia River
4 N	26 E	WM	8	NE NE	34.90	Columbia River
4 N	26 E	WM	8	NW NE	39.10	Columbia River
4 N	26 E	WM	8	SW NE	19.40	Columbia River
4 N	26 E	WM	8	SE NE	23.00	Columbia River

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Source
4 N	26 E	WM	8	NE NW	17.60	Columbia River
4 N	26 E	WM	8	NW NW	1.80	Columbia River
4 N	26 E	WM	8	SW NW	19.50	Columbia River
4 N	26 E	WM	8	SE NW	30.20	Columbia River
4 N	26 E	WM	8	NE SW	34.40	Columbia River
4 N	26 E	WM	8	NW SW	30.50	Columbia River
4 N	26 E	WM	8	SW SW	6.50	Columbia River
4 N	26 E	WM	8	SE SW	14.90	Columbia River
4 N	26 E	WM	8	NE SE	34.20	Columbia River
4 N	26 E	WM	8	NW SE	33.30	Columbia River
4 N	26 E	WM	8	SW SE	32.50	Columbia River
4 N	26 E	WM	8	SE SE	33.50	Columbia River
4 N	26 E	WM	9	NE NE	12.70	Columbia River
4 N	26 E	WM	9	NW NE	2.80	Columbia River
4 N	26 E	WM	9	SW NE	35.90	Columbia River
4 N	26 E	WM	9	SE NE	38.30	Columbia River
4 N	26 E	WM	9	NE NW	0.40	Columbia River
4 N	26 E	WM	9	NW NW	27.40	Columbia River
4 N	26 E	WM	9	SW NW	25.90	Columbia River
4 N	26 E	WM	9	SE NW	28.40	Columbia River
4 N	26 E	WM	9	NE SW	36.80	Columbia River
4 N	26 E	WM	9	NW SW	37.10	Columbia River
4 N	26 E	WM	9	SW SW	31.20	Columbia River
4 N	26 E	WM	9	SE SW	32.20	Columbia River
4 N	26 E	WM	9	NE SE	30.50	Columbia River
4 N	26 E	WM	9	NW SE	36.40	Columbia River
4 N	26 E	WM	9	SW SE	30.00	Columbia River
4 N	26 E	WM	9	SE SE	30.80	Columbia River
				Total	1035.50	

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	S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$	Columbia River
4 N	25 E	WM	3	S $\frac{1}{2}$ SE $\frac{1}{4}$	Columbia River
4 N	25 E	WM	3	S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$	Columbia River
4 N	25 E	WM	3	S $\frac{1}{2}$ SW $\frac{1}{4}$	Columbia River
4 N	25 E	WM	4	S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$	Columbia River
4 N	25 E	WM	4	S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	Columbia River
4 N	25 E	WM	4	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Columbia River
4 N	25 E	WM	9	N $\frac{1}{2}$ NE $\frac{1}{4}$	Columbia River
4 N	25 E	WM	9	N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$	Columbia River
4 N	25 E	WM	9	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Columbia River
4 N	25 E	WM	9	N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$	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

MUNICIPAL USE					
Twp	Rng	Mer	Sec	Q-Q	Source
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	NW¼ NW¼ NW¼	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	NW¼, SOUTH OF FRONTAGE ROAD	Columbia River
4 N	26 E	WM	31	ALL, SOUTH OF COLUMBIA BLVD.	Columbia River
4 N	26 E	WM	32	ALL	Columbia River
4 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.

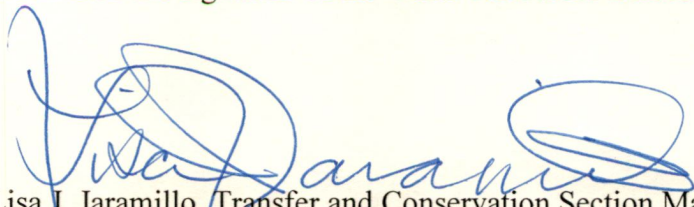
The water user shall maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated.

This certificate describes that portion of water right Certificate 91597, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 27 2022, approving Transfer Application T-13107.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

WITNESS the signature of the Water Resources Director, affixed JUL 27 2022.


 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
 THOMAS M BYLER, DIRECTOR
 Oregon Water Resources Department