

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NF LAND LLC
2885 SANFORD AVE SW 21711
GRANDVILLE MI 49418

NORTH FORK PROPERTIES LLC
404 289TH PLACE NE
CARNATION WA 90814

confirms the right to the use of water perfected under the terms of Permit G-17347. 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 of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-17604

SOURCE OF WATER: WELL 2, WELL 10, AND WELL 12 IN NORTH FORK WALLA WALLA RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 353.8 ACRES BEING; 45.0 ACRES FOR NORTH FORK PROPERTIES LLC AND 308.8 ACRES FOR NF LAND LLC

MAXIMUM RATE: 4.42 CUBIC FEET PER SECOND (CFS), BEING 1.82 CFS FROM WELL 2, 1.74 CFS FROM WELL 10, AND 1.76 CFS FROM WELL 12, NOT TO EXCEED CUMULATIVE TOTAL OF 4.42 CFS FROM THE WELLS

MAXIMUM ANNUAL VOLUME: 300 ACRE FEET

PERIOD OF USE: MARCH 1 THROUGH NOVEMBER 30

DATE OF PRIORITY: DECEMBER 11, 2012

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	36 E	WM	24	NE NW	WELL 2 - 620 FEET SOUTH AND 60 FEET WEST FROM N1/4 CORNER, SECTION 24
5 N	36 E	WM	23	NW NW	WELL 10 - 720 FEET SOUTH AND 215 FEET EAST FROM NW CORNER, SECTION 23
5 N	36 E	WM	23	NW NE	WELL 12 - 725 FEET SOUTH AND 1190 FEET EAST FROM N1/4 CORNER, SECTION 23

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.

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION FOR NORTH FORK PROPERTIES LLC					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	36 E	WM	13	SW SE	9.7
5 N	36 E	WM	24	NW NE	30.7
5 N	36 E	WM	24	SW NE	2.7
5 N	36 E	WM	24	NE NW	0.8
5 N	36 E	WM	24	SE NW	1.1
TOTAL ACRES					45.0

IRRIGATION FOR NF LAND LLC					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	36 E	WM	13	SW SW	30.4
5 N	36 E	WM	13	SE SW	34.0
5 N	36 E	WM	13	SW SE	12.0
5 N	36 E	WM	14	SE SW	17.2
5 N	36 E	WM	14	SW SE	34.2
5 N	36 E	WM	14	SE SE	37.2
5 N	36 E	WM	22	NE NE	24.0
5 N	36 E	WM	22	NW NE	8.3
5 N	36 E	WM	23	NE NE	26.3
5 N	36 E	WM	23	NW NE	14.0
5 N	36 E	WM	23	NW NW	21.4
5 N	36 E	WM	24	NW NE	0.2
5 N	36 E	WM	24	NE NW	18.1
5 N	36 E	WM	24	NW NW	28.7
5 N	36 E	WM	24	SW NW	1.5
5 N	36 E	WM	24	SE NW	1.3
TOTAL ACRES					308.8

Measurement devices, and recording/reporting of annual water use conditions:

- A. The water user shall maintain, in good working order, a totalizing flow meter at each point of appropriation.
- B. The water user shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The water user shall keep a complete record of the volume of water diverted 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 user to report general water-use information, including the place and nature of use of water under the right.
- D. The Director may provide an opportunity for the water user to submit alternative measuring and reporting procedures for review and approval.

Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum of 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.

Dedicated Observation Well: The water user shall maintain one four-inch observation well that penetrates the same aquifer as the production well(s) authorized by this right. The landowner and water user shall provide access to Department staff to install and maintain the monitoring equipment. The well shall not be used for any other purpose while the Department is monitoring groundwater levels.

Upon reasonable notice, the water user shall allow Department staff access to the observation and production wells. Department staff will periodically measure water levels in the observation and production wells for the purpose of evaluating the appropriation's impact to the resource.

Annual Measurement Condition:

The Department requires the water user to measure and report annual static water levels for each well on the right. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The water user shall report annual March static water-level measurements whether or not the well is used. The reference levels against which future measurements will be compared are 322.25 feet below ground surface for Well 2, 55.75 feet below ground surface for Well 10, and 126.75 feet below ground surface for Well 12. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

The Department may require the discontinuance of ground water use, or reduce the rate or volume of withdrawal from the well(s) if any of the following events occur:

- A. Annual water-level measurements reveal an average water-level decline of three or more feet per year for five consecutive years; or
- B. Annual water-level measurements reveal a water-level decline of 15 or more feet in fewer than five consecutive years; or
- C. Annual water-level measurements reveal a water-level decline of 25 or more feet; or
- D. Hydraulic interference leads to a decline of 25 or more feet in any neighboring well with senior priority.

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or causing substantial interference with senior water rights. The water user shall not allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Ground water production shall occur only from a single aquifer in the Columbia River Basalt groundwater reservoir.

Ground water production shall occur no deeper than a bottom hole elevation of 1,100 feet.

Well 10 and Well 12 shall be constructed in a different aquifer than that developed by any City of Milton-Freewater municipal well.

The water user shall ensure that any well listed on this right has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

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.

If substantial interference with surface water or 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 interferences.

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port adequate to determine the water level elevation in the well at all times.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

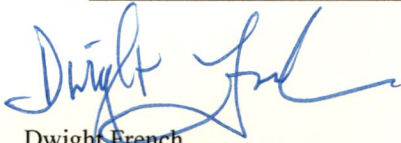
The Director may require water-level or pump-test data every ten years.

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

Issued AUG 06 2021.



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