

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLEAVER LAND LLC
C/O ALAN CLEAVER
PO BOX 1191
HERMISTON OR 97838

RABO AGRIFINANCE, INC
12443 OLIVE BLVD, STE 50
ST. LOUIS MO 63141

confirms the right to the use of water perfected under the terms of Permit G-15396. 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-15341

SOURCE OF WATER: EIGHT WELLS IN COLUMBIA RIVER BASIN

PURPOSE or USE: IRRIGATION OF 67.0 ACRES AND SUPPLEMENTAL IRRIGATION 933.9 ACRES

MAXIMUM RATE: NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 12.5 CUBIC FEET PER SECOND (CFS), BEING 2.9 CFS FROM EACH OF WELLS 1, 2, 3, 4, 11, AND 12, 2.23 CFS FROM WELL 6, AND 4.5 CFS FROM WELL F; FURTHER LIMITED TO 0.838 CFS FOR IRRIGATION AND 11.67 CFS FOR SUPPLEMENTAL IRRIGATION

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 8, 2001

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	26 E	WM	27	NW SW	WELL 2 - 40 FEET SOUTH AND 1300 FEET EAST FROM W1/4 CORNER, SECTION 27
5 N	26 E	WM	27	NW SE	WELL 1 - 60 FEET SOUTH AND 1350 FEET WEST FROM E1/4 CORNER, SECTION 27
5 N	26 E	WM	34	NW NE	WELL 3 - 70 FEET SOUTH AND 1710 FEET WEST FROM NE CORNER, SECTION 34
5 N	26 E	WM	34	SE NE	WELL 12 - 1540 FEET SOUTH AND 1210 FEET WEST FROM NE CORNER, SECTION 34
5 N	26 E	WM	34	NW NW	WELL 4 - 40 FEET SOUTH AND 1300 FEET EAST FROM NW CORNER, SECTION 34

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	Measured Distances
5 N	26 E	WM	34	SW NW	WELL 6 - 340 FEET NORTH AND 1040 FEET EAST FROM W1/4 CORNER, SECTION 34
5 N	26 E	WM	34	SE NW	WELL F - 150 FEET NORTH AND 2070 FEET EAST FROM W1/4 CORNER, SECTION 34
5 N	26 E	WM	35	NW NW	WELL 11 - 610 FEET SOUTH AND 110 FEET EAST FROM NW CORNER, SECTION 35

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

A description of the place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	26 E	WM	27	SW NE	5.6
5 N	26 E	WM	27	SE NW	5.5
5 N	26 E	WM	27	NE SW	5.4
5 N	26 E	WM	27	NW SW	5.0
5 N	26 E	WM	27	SW SW	5.0
5 N	26 E	WM	27	SE SW	5.4
5 N	26 E	WM	27	NE SE	7.0
5 N	26 E	WM	27	NW SE	3.3
5 N	26 E	WM	27	SW SE	2.9
5 N	26 E	WM	27	SE SE	11.2
5 N	26 E	WM	34	NE NE	4.9
5 N	26 E	WM	34	SE NE	5.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	26 E	WM	27	SW NE	31.2
5 N	26 E	WM	27	SE NE	32.8
5 N	26 E	WM	27	SW NW	30.9
5 N	26 E	WM	27	SE NW	30.9
5 N	26 E	WM	27	NE SW	32.7
5 N	26 E	WM	27	NW SW	32.7
5 N	26 E	WM	27	SW SW	33.6
5 N	26 E	WM	27	SE SW	32.1
5 N	26 E	WM	27	NE SE	31.7
5 N	26 E	WM	27	NW SE	30.0
5 N	26 E	WM	27	SW SE	37.2
5 N	26 E	WM	27	SE SE	25.2
5 N	26 E	WM	34	NE NE	21.2
5 N	26 E	WM	34	NW NE	33.4
5 N	26 E	WM	34	SW NE	21.6
5 N	26 E	WM	34	SE NE	28.0
5 N	26 E	WM	34	NE NW	38.0
5 N	26 E	WM	34	NW NW	32.2
5 N	26 E	WM	34	SW NW	37.6
5 N	26 E	WM	34	SE NW	33.4
5 N	26 E	WM	34	NE SW	29.0

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	26 E	WM	34	NW SW	36.2
5 N	26 E	WM	34	SE SW	32.8
5 N	26 E	WM	34	NE SE	27.2
5 N	26 E	WM	34	NW SE	36.0
5 N	26 E	WM	34	SW SE	21.6
5 N	26 E	WM	35	NE NW	30.9
5 N	26 E	WM	35	NW NW	32.9
5 N	26 E	WM	35	SW NW	31.6
5 N	26 E	WM	35	SE NW	29.3

Measurement, recording, and reporting conditions:

- A. The water user shall maintain, in good working order, a meter or other suitable measuring device, as approved by the Director, 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 user to report general water use information, including the place and nature of use water under the right.
- 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.

The water user shall monitor and report the impact of water use under this right in accordance with the approved water level monitoring plan on file with the Department. If any well listed on this right (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level established in the approved Groundwater Monitoring Plan on file with the Department, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until 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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right.

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 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, and may also include an air line and pressure gauge adequate 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.

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

Issued SEP 26 2025.



Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department