

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 either 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.

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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF MULTNOMAH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

COLWOOD LIMITED PARTNERSHIP
15001 NE 181ST STREET
BRUSH PRAIRIE, WA 98606

This Certificate confirms the right to use the waters perfected under the terms of the Permit. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

APPLICATION FILE NUMBER: G-16066

PERMIT NUMBER: G-15655

SOURCE OF WATER: WELL 2 AND 3 IN WHITAKER SLOUGH BASIN

PURPOSE OR USE: IRRIGATION USE ON 71.38 ACRES

MAXIMUM RATE ALLOWED: NOT TO EXCEED A TOTAL OF 2.67 CUBIC FOOT PER SECOND (CFS) ONLY DURING OVERNIGHT HOURS (576,893 GALLONS PER DAY), BEING 1.43 CFS FROM WELL 2 AND 1.44 CFS FROM WELL 3 IN ANY COMBINATION

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 7, 2003

WELL LOCATIONS: SW ¼ NE ¼, SECTION 17, T 1 N, R 2 E, W.M.; BOTH LOCATED 2060 FEET SOUTH & 2035 FEET WEST FROM NE CORNER, SECTION 17.

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

THE PLACE OF USE IS AS FOLLOWS:

NW ¼ NE ¼	20.05 ACRES
SW ¼ NE ¼	17.95 ACRES
NE ¼ NW ¼	5.00 ACRES
SE ¼ NW ¼	1.21 ACRES
NE ¼ SW ¼	0.88 ACRES
NW ¼ SE ¼	26.19 ACRES
SW ¼ SE ¼	0.10 ACRE

SECTION 17

TOWNSHIP 1 NORTH, RANGE 2 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The water user must maintain the totalizing flow meter as identified in OAR 690-507-645. The water user shall maintain the meter in good working order.
- 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use, and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The wells shall produce groundwater from no deeper than 200 feet below land surface.

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 wells 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 water level elevation in the well(s) at all times.

The Director may require water levels or pump test results every ten years.

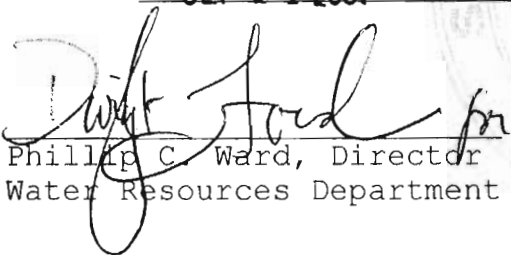
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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.

Issued SEP 14 2007.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83553