

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON BERRY PACKING COMPANY
ROUTE 6, BOX 232
HILLSBORO, OREGON 97123

confirms the right to use the waters of AN UNNAMED STREAM AND LRM RESERVOIR CONSTRUCTED UNDER PERMIT R-6128, a tributary of CAMPBELL CREEK, for OUT OF SEASON IRRIGATION OF 113.5 ACRES.

This right was perfected under Permit 43172. The date of priority is MARCH 10, 1977. This right is limited to 1.42 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The use allowed herein may be made any time between October 1 and April 30 when water can be put to beneficial use by irrigation for immediate crop growth.

The point of diversion is located as follows:

NE 1/4 NW 1/4, WITHIN C. LEWIS DLC 51, SECTION 31, T 1 S, R 2 W, W.M.;
880 FEET SOUTH AND 2350 FEET EAST FROM NW CORNER OF SECTION 31.

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-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the period from May 1 to September 30, and shall be further limited to a diversion of not to exceed 1.0 acre-foot per acre for each acre irrigated during the period from October 1 to April 30, provided further that the right allowed herein shall not exceed 2.5 acre-feet for each acre irrigated in any one year. The use of water during the period from October 1 to March 31 as authorized herein shall not establish priority of right as against future appropriations of surface water for beneficial uses or for storage for such beneficial uses, other than similar rights for irrigation from October 1 to March 31. The water user shall record and submit annually a report of all water used for irrigation during the period of October 1 through April 30 of each year.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

55461.SB

Certificate Number 81081

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

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 SW 1/4	19.1 ACRES
SW 1/4 SE 1/4	27.9 ACRES

BOTH AS PROJECTED WITHIN C. LEWIS DLC 51
SECTION 30

NW 1/4 NE 1/4	24.4 ACRES
SW 1/4 NE 1/4	10.9 ACRES
SE 1/4 NE 1/4	0.8 ACRES
NE 1/4 NW 1/4	27.9 ACRES
NW 1/4 NW 1/4	1.6 ACRES
SE 1/4 NW 1/4	0.9 ACRES

ALL AS PROJECTED WITHIN C. LEWIS DLC 51
SECTION 31
TOWNSHIP 1 SOUTH, RANGE 2 WEST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued December 22, 2004.


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81081.

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