

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.

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PLAT FARMS LLC  
11070 OAK HILL ROAD  
INDEPENDENCE, OREGON 97351

confirms the right to use the waters of a RESERVOIR, constructed under Permit R-5560, a tributary of the LUCKIAMUTE RIVER, for IRRIGATION OF 97.6 ACRES.

This right was perfected under Permit 34802. The date of priority is OCTOBER 30, 1969. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 9.0 ACRE FEET OF STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, AS PROJECTED WITHIN VANDERPOOL DLC 63, SECTION 20, T 9 S, R 4 W, W.M. 1359 3320 FEET NORTH AND 3100 FEET WEST FROM THE SE CORNER, VANDERPOOL DLC 63.

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 ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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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:

NE 1/4 NE 1/4            21.6 ACRES  
SE 1/4 NE 1/4            29.5 ACRES  
NE 1/4 SE 1/4            15.1 ACRES  
ALL AS PROJECTED WITH VANDERPOOL DLC 63  
SECTION 20

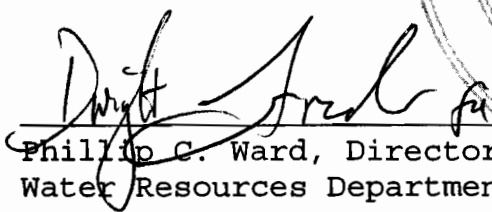
NW 1/4 NW 1/4           20.4 ACRES  
SW 1/4 NW 1/4           11.0 ACRES  
BOTH AS PROJECTED WITHIN VANDERPOOL DLC 63  
SECTION 21  
TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.

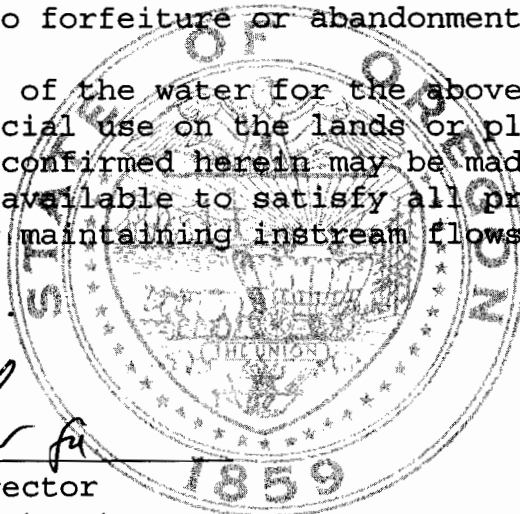
THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE POINT OF DIVERSION AND SUPERSEDES CERTIFICATE 40597.

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. 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 JUNE 30, 2005.

  
Phillip C. Ward, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81443.

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