

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORPAC FOODS INC.
PO BOX 458
STAYTON OR 97383

confirms the right to store water perfected under the terms of Permit R-12083. 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 NUMBER: R-74827

SOURCE: NORTH SANTIAM RIVER, A TRIBUTARY OF SANTIAM RIVER

STORAGE FACILITY: RESERVOIRS 2 AND 3

PURPOSE or USE: APPROPRIATED UNDER PERMIT 52938 FOR SUPPLEMENTAL IRRIGATION

MAXIMUM STORAGE VOLUME: 110.50 ACRE FEET (AF) EACH YEAR, BEING 76.75 AF IN RESERVOIR 2 AND 33.75 AF IN RESERVOIR 3

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH JUNE 30 OF EACH YEAR

DATE OF PRIORITY: OCTOBER 31, 1994

DAM LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
9 S	1 W	WM	16	NW NE			NONE GIVEN
9 S	1 W	WM	16	SW NE			NONE GIVEN

The areas submerged by these reservoirs are as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
9 S	1 W	WM	16	NW NE		
9 S	1 W	WM	16	SW NE		

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. 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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, 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 of 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 use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

The water user shall maintain and operate fish screening to prevent fish from entering the diversion.

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 right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

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

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Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department