

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORPAC FOODS INC.  
PO BOX 14444  
SALEM OR 97309

confirms the right to the use of water perfected under the terms of Permit G-11974. 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-12498

SOURCE OF WATER: WELLS NUMBERED 1 THROUGH 8 IN THE LAKE LABISH DITCH BASIN

PURPOSE or USE: INDUSTRIAL USE AND IRRIGATION OF 346.2 ACRES

MAXIMUM RATE: 6.41 CUBIC FEET PER SECOND (CFS), BEING 2.08 CFS FOR INDUSTRIAL USE AND 4.33 CFS FOR IRRIGATION

PERIOD OF USE: THE USE OF WATER FOR IRRIGATION IS LIMITED TO THE PERIOD MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR

DATE OF PRIORITY: APRIL 24, 1991

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	8	SE NE	61	WELL 6 - 2380 FEET NORTH AND 3930 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61
6 S	2 W	WM	8	SE SW	61	WELL 8 - 210 FEET SOUTH AND 1680 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61
6 S	2 W	WM	8	SE SW	65	WELL 2 - 1050 FEET SOUTH AND 2280 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61
6 S	2 W	WM	8	SE SW	65	WELL 4 - 920 FEET SOUTH AND 2280 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61
6 S	2 W	WM	8	NW SE	61	WELL 5 - 510 FEET NORTH AND 2850 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61
6 S	2 W	WM	8	SW SE	65	WELL 5 - 890 FEET SOUTH AND 2990 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61
6 S	2 W	WM	17	NW NE	65	WELL 3 - 2840 FEET SOUTH AND 2710 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61
6 S	2 W	WM	17	NE NW	65	WELL 7 - 2640 FEET SOUTH AND 1390 FEET EAST FROM RE-ENTRANT CORNER, WEST LINE, DLC 61

**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.

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) for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 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	DLC	Acres
6 S	2 W	WM	4	SW SW	61	7.3
6 S	2 W	WM	5	SE SW	61	2.4
6 S	2 W	WM	5	SW SE	61	2.3
6 S	2 W	WM	5	SE SE	61	2.4
6 S	2 W	WM	8	NE NE		5.0
6 S	2 W	WM	8	NW NE	61	13.6
6 S	2 W	WM	8	SW NE	61	12.1
6 S	2 W	WM	8	SE NE	61	9.7
6 S	2 W	WM	8	SE NE		5.0
6 S	2 W	WM	8	NE NW	61	24.2
6 S	2 W	WM	8	SW NW	61	0.4
6 S	2 W	WM	8	SE NW	61	33.1
6 S	2 W	WM	8	NE SW	61	38.8
6 S	2 W	WM	8	NW SW	61	13.4
6 S	2 W	WM	8	SW SW	61	1.6
6 S	2 W	WM	8	SW SW	65	3.1
6 S	2 W	WM	8	SE SW	61	7.6
6 S	2 W	WM	8	SE SW	65	0.7
6 S	2 W	WM	8	NE SE	61	26.8
6 S	2 W	WM	8	NE SE		3.5
6 S	2 W	WM	8	NW SE	61	15.2
6 S	2 W	WM	8	SW SE	61	15.2
6 S	2 W	WM	8	SW SE	65	11.6
6 S	2 W	WM	8	SE SE	61	9.6
6 S	2 W	WM	8	SE SE	65	1.8
6 S	2 W	WM	9	NW NW		28.1
6 S	2 W	WM	9	SW NW		21.8
6 S	2 W	WM	9	NW SW		2.8
6 S	2 W	WM	17	NW NE	65	4.4
6 S	2 W	WM	17	SW NE	65	2.3
6 S	2 W	WM	17	SW NE	64	0.2
6 S	2 W	WM	17	NE NW	65	10.8
6 S	2 W	WM	17	NW NW	65	3.7
6 S	2 W	WM	17	NW NW	63	2.3
6 S	2 W	WM	17	SE NW	65	0.3
6 S	2 W	WM	18	NE NE	63	3.1

INDUSTRIAL USE					
Twp	Rng	Mer	Sec	Q-Q	DLC
6 S	2 W	WM	8	SE SW	61
6 S	2 W	WM	8	SE SW	65
6 S	2 W	WM	8	SW SE	61
6 S	2 W	WM	8	SW SE	65
6 S	2 W	WM	17	NW NE	65
6 S	2 W	WM	17	NE NW	65
6 S	2 W	WM	17	NW NW	63
6 S	2 W	WM	17	NW NW	65

The use of water allowed under this right includes appropriation of water directly from the eight wells or through five ponds for irrigation use. In addition, water may be appropriated for irrigation purposes through the ponds during the irrigation season each year utilizing waste water from industrial water use, provided the total quantity of water does not exceed the limits of this right.

The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.

The embankments of the ponds shall be kept clear of brush, debris and burrowing animals. The embankments shall be operated and maintained according to the plans prepared by Clark & Groff Engineers, Inc. dated April, 1968, or according to satisfactory plans approved by the Director.

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 the water level elevation in the well at all times.

The water user shall report a March static water level in the wells to the Groundwater/Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made and calculations detailed by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board, or the water user. Measurements and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements.

Use of water from the wells shall not be allowed if the wells displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water levels in the wells are those of the initial March report. That is the level from which the cited declines in (A), (B) and (C) above will be referenced. The reference level is 27.5 feet below land surface for Well 1, 28 feet below ground surface for Well 2, 29 feet below ground surface for Well 3, 17 feet below ground surface for Well 4, 22 feet below ground surface for Well 5, 13 feet below ground surface for Well 6, 29.5 feet below ground surface for Well 7, and 31 feet below ground surface for Well 8.

Measurement, recording and reporting conditions:

- A. The water user shall maintain an inline flow meter or other suitable measuring device approved by the Director 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.

Water shall be acquired from the same aquifer as the original point of appropriation.

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be reduced.

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.

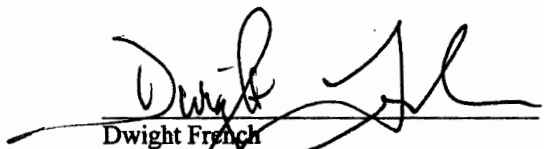
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 MAY 13 2016.



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department