

STATE OF OREGON  
 COUNTY OF BENTON  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

VITAL FARMLAND LP  
 ONE MARKET SPEAR TOWER STE 3600  
 SAN FRANCISCO CA 94105

confirms the right to the use of water perfected under the terms of Permit S-34297. 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.

SOURCE OF WATER: MARYS RIVER, TRIBUTARY TO THE WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 34.2 ACRES

MAXIMUM RATE: 0.43 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 2, 1969

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	6 W	WM	13	NE SE	51	2610 FEET SOUTH AND 1880 FEET EAST FROM SW CORNER, DLC 45

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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.

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	6 W	WM	13	SW NE	51	14.6
12 S	6 W	WM	13	SE NW	51	3.2
12 S	6 W	WM	13	NE SW	51	1.3
12 S	6 W	WM	13	NE SE	51	0.1
12 S	6 W	WM	13	NW SE	51	15.0

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
12 S	6 W	WM	13	SW NE	51	1100 FEET SOUTH AND 830 FEET EAST FROM SW CORNER, DLC 45

Water use measurement conditions:

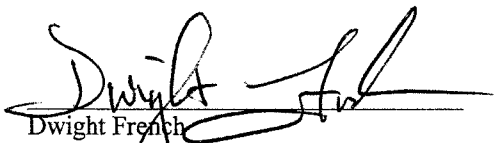
- A. The water user shall maintain the totalizing flow meter or measuring device in good working order.
- B. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered December 14, 2012, at Special Order Volume 88, Page 816, approving Transfer Application 11374, and supersedes Certificate 41975, State record of Water Right Certificates.

Issued DEC 09 2016.



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