

## STATE OF OREGON

## COUNTY OF POLK

## CERTIFICATE OF WATER RIGHT

## THIS CERTIFICATE ISSUED TO

VFO INDEPENDENCE LLC  
8930 SUVER RD  
MONMOUTH OR 97361

confirms the right to the use of water perfected under the terms of Permit S-52679. 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: WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-1625, FOR SUPPLEMENTAL IRRIGATION, A TRIBUTARY OF THE WILLAMETTE RIVER

USE: SUPPLEMENTAL IRRIGATION OF 548.7 ACRES

RATE: 332.64 ACRE-FEET FROM THE WILLAMETTE BASIN PROJECT RESERVOIRS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR STORED WATER OR AS MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT

PRIORITY DATE: AUGUST 19, 1993

## The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	4 W	WM	26	SWNW	WILLAMETTE RIVER DIVERSION - 1650 FEET SOUTH AND 1000 FEET EAST FROM SW CORNER, SECTION 23

## A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	4 W	WM	15	SW NW	19.2
9 S	4 W	WM	15	SE NW	3.0
9 S	4 W	WM	15	NE SW	18.0
9 S	4 W	WM	15	NW SW	39.0
9 S	4 W	WM	15	SW SW	38.4
9 S	4 W	WM	15	SE SW	18.6
9 S	4 W	WM	16	SE NE	15.1
9 S	4 W	WM	16	NE SE	30.8
9 S	4 W	WM	16	SE SE	36.7
9 S	4 W	WM	21	NE NE	33.6
9 S	4 W	WM	21	SE NE	27.5
9 S	4 W	WM	22	NE NE	12.1

**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.

Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	4 W	WM	22	NW NE	13.2
9 S	4 W	WM	22	SW NE	40.0
9 S	4 W	WM	22	SE NE	21.0
9 S	4 W	WM	22	NE NW	25.0
9 S	4 W	WM	22	NW NW	38.4
9 S	4 W	WM	22	SW NW	28.4
9 S	4 W	WM	22	SE NW	33.5
9 S	4 W	WM	22	NE SW	16.2
9 S	4 W	WM	22	NE SE	10.6
9 S	4 W	WM	22	NW SE	30.4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meters or measuring devices, as approved by the Director, in good working order, at each point of diversion, and 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 devices; provided however, where the meter or measuring devices is located within a private structure, the watermaster shall request access upon reasonable notice.

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	Measured Distances
9 S	4 W	WM	23	SE SW	WILLAMETTE RIVER DIVERSION - 450 FEET NORTH AND 1520 FEET EAST FROM SW CORNER, SECTION 23

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards, to prevent fish from entering the diversions.

The use of stored water under this right is subject to the terms of conditions of contract No. 5-07-10-W1040, or a satisfactory replacement, between the Bureau of Reclamation and the water user.

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

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.

The right is for the beneficial use 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 the water use must be in compliance with the statewide land-use goals and any local acknowledged land-use plan.

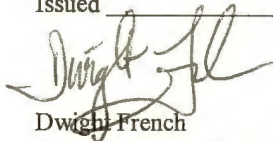
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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 July 16, 2013, at Special Order Volume 85, Page 70, approving Transfer Application T-9662, and together with Certificate 86806, supersedes Certificate 83673, State record of Water Right Certificates.

**APR 28 2023**

Issued \_\_\_\_\_



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department