

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF DALLAS
ATTN: DAVE SHEA
187 SOUTHEAST COURT
DALLAS, OREGON 97338

confirms the right to use the waters of RICKREALL CREEK (LA CREOLE CREEK), APPLGATE CREEK, AND ROCKHOUSE CREEK, tributaries of WILLAMETTE RIVER, for MUNICIPAL USE.

This right was perfected under Permit 4053. The date of priority is JANUARY 22, 1919. This right is limited to 4.0 CUBIC FEET PER SECOND (CFS); BEING 1.0 CFS FROM APPLGATE CREEK, AND 3.0 CFS FROM ROCKHOUSE CREEK AND RICKREALL CREEK (LA CREOLE CREEK), or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

APPLGATE CREEK AT POINT IN STREAM WHICH CROSSES NORTH LINE, SECTION 4, T 8 S, R 6 W, W.M.

ROCKHOUSE CREEK AND LA CREOLE CREEK AT THEIR CONFLUENCE IN SECTION 1, T 8 S, R 7 W, W.M.

TO BE COLLECTED AT INTAKE LOCATED IN SW 1/4 SE 1/4, SECTION 35, T 7 S, R 6 W, W.M.; 870 FEET NORTH AND 2100 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 35.

The quantity of water diverted at the INTAKE is limited to the quantity of water available at the original points of diversion. The water user shall install and maintain in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water available at the original points of diversion and diverted at the INTAKE. The type and plans of the measuring devices must be approved and installed under the general supervision of the Department.

IN THE EVENT THAT REGULATION OF THE WATERS OF RICKREALL CREEK IS NECESSARY TO INSURE DELIVERY TO THE CITY INTAKE POINT OF DIVERSION, THE CITY SHALL REIMBURSE THE WATER RESOURCES DEPARTMENT THE ESTIMATED COMPENSATION AND EXPENSES OF THE WATERMASTER INVOLVED IN THE DISTRIBUTION OR DIVERSION OF THE WATER.

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:

WITHIN THE SERVICE BOUNDARIES OF THE CITY OF DALLAS

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.

WITNESS the signature of the Water Resources Director, affixed
MAY 11, 1995.

/s/ Martha O. Pagel

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68474.
6385.RWK