

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF SALEM
555 LIBERTY STREET SE, ROOM 325
SALEM, OREGON 97301

confirms the right to use the waters of WELLS 1 AND 2 in the WILLAMETTE RIVER BASIN for INDUSTRIAL USE.

This right was perfected under Permit G-12165. The date of priority is FEBRUARY 5, 1993. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.031 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1 - SW 1/4 NW 1/4, AS PROJECTED WITH J. SMART DLC 42, SECTION 34, TOWNSHIP 6 SOUTH, RANGE 3 WEST, W.M.; 1705 FEET SOUTH AND 70 FEET EAST FROM THE NW CORNER OF SECTION 34; AND

WELL 2 - SE 1/4 NE 1/4, AS PROJECTED WITH J. SMART DLC 42, SECTION 33, TOWNSHIP 6 SOUTH, RANGE 3 WEST, W.M.; 1590 FEET SOUTH AND 917 FEET WEST FROM THE NW CORNER OF SECTION 34.

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:

NE 1/4
AS PROJECTED WITH J. SMART DLC 42
SECTION 33
TOWNSHIP 6 SOUTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the wells shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

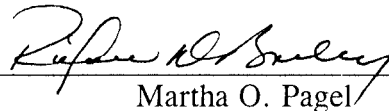
The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

Failure to comply with any of the provision 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 to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed DECEMBER 30, 1998.



Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75923.