

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAKEWOOD UTILITIES, LTD
LAKEWOOD HOMEOWNERS, INC
13269 DAIQUIRI LAKE DR
AURORA, OREGON 97002

confirms the right to store the waters of AN UNNAMED STREAM, a tributary of MILL CREEK, in A RESERVOIR, for FIRE PROTECTION, FISH LIFE AND RECREATION.

The right to store these waters was perfected under Reservoir Permit R-12140. The date of priority is JULY 14, 1993. The amount of water entitled to be stored each year under this right is not more than 78.0 acre-feet. Water may only be appropriated for storage during the period November 1 through April 30 of each year.

The reservoir is located as follows:

SE 1/4 SE 1/4
AS PROJECTED WITHIN KESTER DLC 52
SECTION 22
TOWNSHIP 4 SOUTH, RANGE 1 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the 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.
- C. 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

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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 right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The outlet gate shall be cycled at least once each year and shall be fully operational at all times.

The embankment and lagoon shall be maintained according to the approved as-built drawings on file with the Oregon Water Resources Department dated May 13, 1994, or a satisfactory replacement thereof. Routine maintenance of the embankment and spillway shall be performed as determined necessary to remove trees, brush, debris, and burrowing animals, or to repair areas of erosion and acts of vandalism.

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of eight inches.

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.

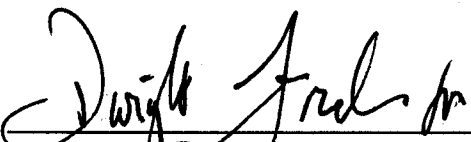
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

Issued January 15, 2004.


Paul R. Cleary, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80520.
R-73482.SB