

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON
COUNTY OF GILLIAM
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHEMICAL WASTE MANAGEMENT OF NORTHWEST, INC.
ARLINGTON, OREGON FACILITY
17629 CEDAR SPRINGS LANE
ARLINGTON, OREGON 97812

SUPERSEDED BY
CERT. NO. 87593

confirms the right to use the waters of WELL NO. 3 in the COLUMBIA RIVER BASIN for INDUSTRIAL USE

This right was perfected under Permit G-14667. The date of priority is JANUARY 26, 1993. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.446 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

WELL NO. 3 - SW 1/4 NE 1/4, SECTION 30, TOWNSHIP 2 NORTH, RANGE 21 EAST, W.M.; 3421 FEET NORTH AND 3453 FEET EAST FROM THE SW CORNER OF SECTION 30.

A description of the place of use to which this right is appurtenant is as follows:

ALL
SECTION 25
N 1/2 N 1/2
SECTION 36
TOWNSHIP 2 NORTH, RANGE 20 EAST, W.M.

Cancelled due to
T-10066 Sp. Or.
Vol. 69 P. 236

The water user shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, professional engineer, licensed well constructors or pump installers licensed by the Construction Contractors Board. Water levels shall be reported as depth-to water below ground level and shall be accompanied by supporting calculations. If a well listed on this permit displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the wells. Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water users or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The referenced level for water-level declines shall be the second annual measurement taken after water use began under this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The Director may require water level or pump test results every ten years.

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.

Issued October 13, 2005


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81679

G-13271.SB

S 1/2 SW 1/4
SW 1/4 SE 1/4
SECTION 19

W 1/2 NE 1/4
W 1/2
W 1/2 SE 1/4
SECTION 30

NW 1/4 NW 1/4
SECTION 31

TOWNSHIP 2 NORTH, RANGE 21 EAST, W.M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated within this authorized diversion, the quantity of water allowed herein, together with any other right shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.