

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JTP SANDPINES RESORT LLC
R.L. BOCCI SANDPINES RESORT LLC.
1201 35TH STREET
FLORENCE OREGON 97439

confirms the right to use the waters of FIVE WELLS, in the Siuslaw River Basin for IRRIGATION of 141.55 ACRES AND MAINTAINING LANDSCAPE PONDS FOR RECREATION.

This right was perfected under Permit G-11600. The date of priority is MARCH 17, 1992. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.41 CUBIC FEET PER SECOND (CFS), BEING 1.77 CFS FOR IRRIGATION AND 0.64 CFS FOR POND MAINTENANCE, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	18 S	12 W	WM	15	NW SE	NORTH 54 DEGREES 45 MINUTES WEST, 2617.3 FEET, FROM THE SE CORNER, SECTION 15
2	18 S	12 W	WM	15	SW SE	NORTH 67 DEGREES 48 MINUTES WEST, 1811.8 FEET, FROM THE SE CORNER, SECTION 15
3	18 S	12 W	WM	15	NW SE	NORTH 40 DEGREES 29 MINUTES WEST, 2534.2 FEET, FROM THE SE CORNER, SECTION 15
4	18 S	12 W	WM	15	NW SE	NORTH 35 DEGREES 26 MINUTES WEST, 2946.2 FEET, FROM THE SE CORNER, SECTION 15
5	18 S	12 W	WM	15	NE SE	NORTH 32 DEGREES 18 MINUTES WEST, 2236.0 FEET, FROM THE SE CORNER, SECTION 15

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated each year. The use of water for irrigation may be made at any time of the year that water can be put to beneficial use.

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 183.484. 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.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	12 W	WM	15	NE SW	7.20
18 S	12 W	WM	15	SE SW	5.25
18 S	12 W	WM	15	NE SE	34.20
18 S	12 W	WM	15	NW SE	29.50
18 S	12 W	WM	15	SW SE	31.43
18 S	12 W	WM	15	SE SE	24.06
18 S	12 W	WM	22	NW NE	9.91

POND MAINTENANCE				
Twp	Rng	Mer	Sec	Q-Q
18 S	12 W	WM	15	SE SW
18 S	12 W	WM	15	NE SE
18 S	12 W	WM	15	NW SE
18 S	12 W	WM	15	SW SE
18 S	12 W	WM	15	SE SE

The water user shall monitor and report the impact of the water use under this right on water levels and the water user's use within the aquifer in accordance with the plan on file with the Department. The plan stipulated the following reference levels:

Well	1	2	3	4	5
Water Level, below land surface	58.07'	58.04'	59.98'	62.60'	71.27'

If a well listed on this right displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then 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 user 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 water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

The wells 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 to determine the water level elevation in the well at all times. The water user shall maintain totalizing flow meters and keep a complete record of the amount of ground water withdrawn.

The water user shall comply with the terms and conditions of the Sandpines Golf Course Water, Nutrients, and Pesticides Management Plan received August 28, 1992, or as such plan is replaced or amended with approval of the Director. An approved copy of the plan shall be kept on file in the office of the Water Resources Department in Salem, Oregon.

The water user shall submit to the Watermaster quantity and water level measurements each month.

The Director may require water level or pump tests 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.

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

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

FEB 06 2009

Issued _____


Phillip C. Ward, Director
Water Resources Department