

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLAMETTE INDUSTRIES, INC.  
2730 PACIFIC BOULEVARD SE  
ALBANY OREGON 97321

confirms the right to use the waters of NORTH FORK ASH CREEK, tributary to ASH CREEK for INDUSTRIAL USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for POLK County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 17, at Page 216. The date of priority is 1905.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 CUBIC FOOT PER SECOND, if available at the authorized point of diversion located in the SW¼ SW¼, as projected within LEWIS DLC 67, SECTION 33, T 7 S, R 5 W, WM; 2100 FEET SOUTH AND 1100 FEET EAST FROM THE NW CORNER, DLC 67, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
7 S	5 W	WM	32	SE SE		67	1845 FEET SOUTH AND 305 FEET EAST FROM NW CORNER, LEWIS DLC 67

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:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
7 S	5 W	WM	32	SE SE		67
7 S	5 W	WM	32	SE SE		51
7 S	5 W	WM	33	SW SW		67
7 S	5 W	WM	33	SE SW		67
8 S	5 W	WM	4	NE NW		42
8 S	5 W	WM	4	NW NW		42
8 S	5 W	WM	5	NE NE		42
8 S	5 W	WM	5	NE NE		37
8 S	5 W	WM	5	NW NE		37
8 S	5 W	WM	5	SW NE		47
8 S	5 W	WM	5	SE NE		47

**NOTICE OF RIGHT TO 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.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

Water shall be acquired from the same surface water source as the original point of diversion.

The water user shall maintain a fish screen or fish by-pass device approved by the Oregon Department of Fish and Wildlife.

This certificate is issued to confirm changes in USE, PLACE OF USE, and POINT OF DIVERSION approved by an order of the Water Resources Director entered August 30, 1999, at Special Order Volume 53, Page 1168, approving Transfer Application 7516, and together with an order of the Water Resources Director entered February 6, 2009, at Special Order Volume 77, Page 132, cancelling the remainder of the right, supersedes Certificate 40236, State record of Water Right Certificates.

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 and subject to all other conditions and limitation contained in the decree.

Issued FEB 06 2009

  
Phillip C. Ward, Director