

STATE OF OREGON  
 COUNTY OF CLACKAMAS  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OLY-JDA RATM, LLC  
 PIER 70  
 2801 ALASKA WAY, SUITE 200  
 SEATTLE WASHINGTON 97121

confirms the right to use the waters of TWO WELLS in the Salmon River Basin for IRRIGATION OF 42.70 ACRES, SUPPLEMENTAL IRRIGATION OF 60.00 ACRES, AND QUASI-MUNICIPAL TO INCLUDE LAKE MAINTENANCE.

This right was perfected under Permit G-11283. The date of priority is MAY 15, 1989. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.12 CUBIC FEET PER SECOND (CFS), BEING 1.12 CFS FOR IRRIGATION AND 0.05 CFS FOR QUASI-MUNICIPAL USE, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
1	3 S	7 E	WM	4	NW SW			2081.3 FEET NORTH AND 269.6 FEET EAST FROM THE SW CORNER, SECTION 4
2	3 S	7 E	WM	4	SE SW			1219.8 FEET NORTH AND 1610.5 FEET EAST FROM THE SW CORNER, SECTION 4

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 during the irrigation season of each year.

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

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

IRRIGATION AND QUASI-MUNICIPAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
3 S	7 E	WM	4	NE SW			9.25
3 S	7 E	WM	4	NW SW			12.39

**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.

IRRIGATION AND QUASI-MUNICIPAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
3 S	7 E	WM	4	SW SW			7.95
3 S	7 E	WM	4	SE SW			9.49
3 S	7 E	WM	9	NE NW			1.64
3 S	7 E	WM	9	NW NW			1.98

SUPPLEMENTAL IRRIGATION AND QUASI-MUNICIPAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
3 S	7 E	WM	4	NE SW			14.16
3 S	7 E	WM	4	NW SW			12.43
3 S	7 E	WM	4	SW SW			13.69
3 S	7 E	WM	4	SE SW			16.45
3 S	7 E	WM	9	NE NW			0.88
3 S	7 E	WM	9	NW NW			2.39

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 usable access ports, and may also include air lines and pressure gauges to determine the water level elevation in the wells at all times.

The water user shall maintain meters or other measuring devices suitable to the Director, and shall keep a complete record of water uses.

The use of water from the wells, as allowed herein, shall be regulated if a well displays:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A total water level decline of fifteen or more feet; or
- (C) A hydraulic interference decline of fifteen or more feet in any neighboring well providing water for senior exempt uses or wells covered by prior rights.

The water user shall be responsible for complying with each of the following requirements for measuring water levels in the wells:

- (A) A water level measurement shall be made each year at the time of spring high water during the period March 15 through April 15.
- (B) All water level measurements shall be made by a qualified individual. Qualified individuals include certified water rights examiners, registered professional geologists, certified engineering geologists, professional engineers, registered land surveyors, licensed well constructors, pump installers licensed by the Construction Contractors Board, or the water user.
- (C) Any qualified individual measuring a well shall use standard methods of procedure and equipment for the purpose of well measurement. The equipment used shall be well suited to the conditions of construction of the well. A list of standard methods of procedure and suitable equipment shall be available from the Department.
- (D) The water user shall submit a record of the measurement to the Department on a form available from the Department. The record of measurement shall be received not later than 30 days from the date of measurement.

The Department shall determine when any of the declines cited above are evidenced by the required well measurements.

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.

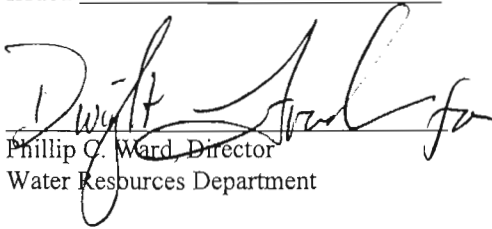
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

Issued           JUL 02 2009          

  
Phillip C. Ward, Director  
Water Resources Department