

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON METALLURGICAL CORPORATION
 PO BOX 460
 ALBANY OR 97321

confirms the right to use the waters of WELL 13 and WELL 14 in the Oak Creek Basin. WELL 13 is for POLLUTION ABATEMENT USE and WELL 14 is for INDUSTRIAL and POLLUTION ABATEMENT USES.

This right was perfected under Permit G-13648. The date of priority is NOVEMBER 2, 1998. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.648 CUBIC FEET PER SECOND (CFS), being a MAXIMUM of 0.89 CFS FROM WELL 13 and 0.758 CFS FROM WELL 14, or its equivalent in case of rotation, measured at the well.

The period of use is year round.

The well is located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
Well 14 (LINN 57584)	11 S	3 W	WM	19	NW NE	54	2275 FEET SOUTH & 1240 FEET EAST FROM SE CORNER, HUTCHINS DLC 70
Well 13 (LINN 52035)	11 S	3 W	WM	19	NW NW	54	295 FEET SOUTH & 1015 FEET EAST FROM NW CORNER, SECTION 19

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

INDUSTRIAL AND POLLUTION ABATEMENT USES					
Twp	Rng	Mer	Sec	Q-Q	DLC
11 S	3 W	WM	18	SW SW	
11 S	3 W	WM	18	SE SW	
11 S	3 W	WM	19	NE NW	54
11 S	3 W	WM	19	NW NW	54
11 S	3 W	WM	19	SW NW	54

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete

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.

record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

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.

The water user shall maintain adequate treatment facilities meeting current DEQ requirements to remove pollutants and sediments before returning the water to the stream.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The water user shall monitor and report the impact of water use under this right in accordance with the approved water level monitoring plan on file with the Department. The reference level against which any future measurements will be compared is 54.0 feet below ground surface for Well 13 and 83.3 feet below ground surface for Well 14.

If any well listed on this right (or replacement well) 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 well(s). 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's and/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, as defined in Commission rules, to occur within the aquifer as a result of use under this right.

The well 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 Director may require water level or pump tests every ten years.

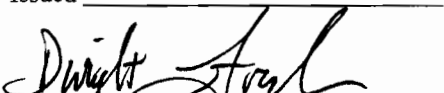
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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

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Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department