

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF COTTAGE GROVE
400 E MAIN ST
COTTAGE GROVE OR 97424

confirms the right to use the waters of ROW RIVER, tributary to COAST FORK WILLAMETTE RIVER for MUNICIPAL USE.

This right was perfected under Permit S-18443. The date of priority is SEPTEMBER 14, 1948. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and is limited to a maximum diversion of 0.45 CUBIC FOOT PER SECOND AND SHALL BE FURTHER LIMITED TO A TOTAL VOLUME DIVERTED OF NOT TO EXCEED 89.75 ACRE FEET DURING THE IRRIGATION SEASON, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
20 S	3 W	WM	22	NE SW	54	POD 2: 1695 FEET NORTH AND 275 FEET WEST FROM S1/4 CORNER, SECTION 22
20 S	3 W	WM	35	NW NW	70	POD 1: 1000 FEET SOUTH AND 1050 FEET EAST FROM NW CORNER, SECTION 35

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q
20 S	3 W	WM	21	SE SE
20 S	3 W	WM	22	NE SW
20 S	3 W	WM	22	NW SW
20 S	3 W	WM	22	SW SW
20 S	3 W	WM	22	SE SW
20 S	3 W	WM	22	NW SE
20 S	3 W	WM	22	SW SE
20 S	3 W	WM	26	SW SW
20 S	3 W	WM	27	NW NE
20 S	3 W	WM	27	SW NE
20 S	3 W	WM	27	NE NW
20 S	3 W	WM	27	NW NW

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.

Twp	Rng	Mer	Sec	Q-Q
20 S	3 W	WM	27	SW NW
20 S	3 W	WM	27	SE NW
20 S	3 W	WM	27	NE SW
20 S	3 W	WM	27	NW SW
20 S	3 W	WM	27	SW SW
20 S	3 W	WM	27	SE SW
20 S	3 W	WM	27	NE SE
20 S	3 W	WM	27	NW SE
20 S	3 W	WM	27	SW SE
20 S	3 W	WM	27	SE SE
20 S	3 W	WM	28	NE NE
20 S	3 W	WM	28	NW NE
20 S	3 W	WM	28	SW NE
20 S	3 W	WM	28	SE NE
20 S	3 W	WM	28	NE NW
20 S	3 W	WM	28	NW NW
20 S	3 W	WM	28	SW NW
20 S	3 W	WM	28	SE NW
20 S	3 W	WM	28	NE SW
20 S	3 W	WM	28	NW SW
20 S	3 W	WM	28	SW SW
20 S	3 W	WM	28	SE SW
20 S	3 W	WM	28	NE SE
20 S	3 W	WM	28	NW SE
20 S	3 W	WM	28	SW SE
20 S	3 W	WM	28	SE SE
20 S	3 W	WM	29	NE NE
20 S	3 W	WM	29	SE SW
20 S	3 W	WM	29	NE SE
20 S	3 W	WM	29	NW SE
20 S	3 W	WM	29	SW SE
20 S	3 W	WM	29	SE SE
20 S	3 W	WM	32	NE NE
20 S	3 W	WM	32	NW NE
20 S	3 W	WM	32	SW NE
20 S	3 W	WM	32	SE NE
20 S	3 W	WM	32	NE NW
20 S	3 W	WM	32	SW NW
20 S	3 W	WM	32	SE NW
20 S	3 W	WM	32	NE SW
20 S	3 W	WM	32	NE SE
20 S	3 W	WM	32	NW SE
20 S	3 W	WM	33	NE NE
20 S	3 W	WM	33	NW NE
20 S	3 W	WM	33	SW NE
20 S	3 W	WM	33	SE NE
20 S	3 W	WM	33	NE NW
20 S	3 W	WM	33	NW NW
20 S	3 W	WM	33	SW NW
20 S	3 W	WM	33	SE NW
20 S	3 W	WM	33	NE SW

Twp	Rng	Mer	Sec	Q-Q
20 S	3 W	WM	33	NW SW
20 S	3 W	WM	33	SW SW
20 S	3 W	WM	33	SE SW
20 S	3 W	WM	33	NE SE
20 S	3 W	WM	33	NW SE
20 S	3 W	WM	33	SW SE
20 S	3 W	WM	34	NE NE
20 S	3 W	WM	34	NW NE
20 S	3 W	WM	34	NW NW
20 S	3 W	WM	35	NW NW
20 S	3 W	WM	35	SW NW
21 S	3 W	WM	4	NE NW
21 S	3 W	WM	4	NW NW

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

The water user shall not divert water under this water right from the new and additional upstream point of diversion at the Row River Water Treatment Plant (RRWTP) when stream flows in the Row River are less than 175 cubic feet per second (cfs) between March 1 and April 30 of each year, or when stream flows in the Row River are less than 40 cfs between March 1 and October 31. For the purposes of this condition, the water user shall monitor flows at USGS gage 14155500 (or a suitable replacement) and subtract the rate of diversion at the RRWTP to determine if the required instream flows are being met. The water right holder may also rely on stream flow and diversion readings as calculated and distributed by the Department to determine if the required instream flows are being met.

The water user shall maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted as required by the Department.

When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall maintain and operate fish screening and/or by-pass devices, as appropriate, at the points of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

If the Department determines that the water user failed to comply with the provisions of this right by diverting water during times when diversion is prohibited as conditioned above, the Department may order the installation of such measuring or control devices that the Department determines are necessary to ensure compliance.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION, CHANGES IN POINT OF DIVERSION, PLACE OF USE, AND CHARACTER OF USE approved by an order of the Water Resources Director entered February 20, 2009, at Special Order Volume 77, Page 266, approving Transfer Application 10615, and together with Certificate 84913, supersedes Certificate 19882, State record of Water Right Certificates.

Water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

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.

Issued APR 28 2011



Dwight W. French, Water Right Services Division Administrator, for
Phillip C. Ward, Director