

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WASTE MANAGEMENT DISPOSAL SERVICES of OREGON, INC.  
 17629 CEDAR SPRINGS LANE  
 ARLINGTON, OR 97812

confirms the right to use the waters of WELL NO'S 1, 3, AND 6 in the COLUMBIA BASIN for INDUSTRIAL USE.

This right was perfected under permit G-11667. The date of priority is JANUARY 26, 1993. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.446 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	21 E	WM	30	SW NE	WELL 3: 3421 FEET NORTH AND 3453 FEET EAST FROM SW CORNER, SECTION 30
2 N	21 E	WM	31	NW NE	WELL 6: 940 FEET SOUTH AND 1910 FEET WEST FROM NE CORNER, SECTION 31
2 N	21 E	WM	31	SE NE	WELL 1: 1580 FEET SOUTH AND 200 FEET WEST FROM NE CORNER, SECTION 31

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
2 N	20 E	WM	25	NE NE
2 N	20 E	WM	25	NW NE
2 N	20 E	WM	25	SW NE
2 N	20 E	WM	25	SE NE
2 N	20 E	WM	25	NE NW
2 N	20 E	WM	25	NW NW
2 N	20 E	WM	25	SW NW
2 N	20 E	WM	25	SE NW
2 N	20 E	WM	25	NE SW
2 N	20 E	WM	25	NW SW
2 N	20 E	WM	25	SW SW
2 N	20 E	WM	25	SE SW
2 N	20 E	WM	25	NE SE
2 N	20 E	WM	25	NW SE

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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
2 N	20 E	WM	25	SW SE
2 N	20 E	WM	25	SE SE
2 N	20 E	WM	36	NE NE
2 N	20 E	WM	36	NW NE
2 N	20 E	WM	36	NE NW
2 N	20 E	WM	36	NW NW
2 N	21 E	WM	19	SW SW
2 N	21 E	WM	19	SE SW
2 N	21 E	WM	19	SW SE
2 N	21 E	WM	30	NW NE
2 N	21 E	WM	30	SW NE
2 N	21 E	WM	30	NE NW
2 N	21 E	WM	30	NW NW
2 N	21 E	WM	30	SW NW
2 N	21 E	WM	30	SE NW
2 N	21 E	WM	30	NE SW
2 N	21 E	WM	30	NW SW
2 N	21 E	WM	30	SW SW
2 N	21 E	WM	30	SE SW
2 N	21 E	WM	30	NW SE
2 N	21 E	WM	30	SW SE
2 N	21 E	WM	31	NW NW

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order.
- 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water rights examiner, registered professional geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. 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 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 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 reference level for water-level declines shall be the second annual measurement taken after water use began under the terms of this right. The water user shall in no instance allow excessive decline to occur within the aquifer as a result of use under this right.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alternation of the

appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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

The quantity of water diverted at the points of appropriation (wells 1 & 6), together with the quantity of diverted at the old point of appropriation (well 3), shall not exceed the quantity of water available from the original point of appropriation (well 3).

Water shall be acquired from the same aquifer as the original points of appropriation.

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The Director may require water level or pump test results 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.

This certificate is issued to confirm TWO ADDITIONAL POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered July 28, 2006, at Special Order Volume 69, Page 236, approving Transfer Application 10066 and supersedes Certificate 81679, 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.

Issued JUN 01 2012

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