

STATE OF OREGON
 COUNTY OF DOUGLAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CO-GEN II LLC
 PO BOX 66
 RIDDLE OR 97469

confirms the right to use the waters of COW CREEK AND GALESVILLE RESERVOIR, TRIBUTARIES OF SOUTH UMPQUA RIVER, FOR SAWMILL, INDUSTRIAL, AND POWER GENERATION.

This right was perfected under Permit S-54422. The date of priority is MARCH 21, 2001. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.40 CUBIC FEET PER SECOND from COW CREEK and 300.0 ACRE FEET OF STORED WATER ONLY FROM GALESVILLE RESERVOIR, measured at the point of diversion.

The period of use is December 1 through June 30 from live flow from Cow Creek, year round from stored water from Galesville Reservoir.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	6 W	WM	24	SW NE	640 FEET NORTH AND 1865 FEET WEST FROM E1/4 CORNER, SECTION 24

A description of the place of use is as follows:

SAWMILL/INDUSTRIAL						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
30 S	6 W	WM	13	NE NW		51
30 S	6 W	WM	13	NE NW	6	
30 S	6 W	WM	13	NW NW		51

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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

SAWMILL/INDUSTRIAL						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
30 S	6 W	WM	13	NW NW	7	
30 S	6 W	WM	13	SW NW		
30 S	6 W	WM	13	SE NW		
30 S	6 W	WM	13	NE SW		
30 S	6 W	WM	13	NW SW		
30 S	6 W	WM	13	SW SW		47
30 S	6 W	WM	13	SW SW	8	
30 S	6 W	WM	13	SE SW	9	
30 S	6 W	WM	13	SE SW		47

POWER DEVELOPMENT				
Twp	Rng	Mer	Sec	Q-Q
30 S	6 W	WM	13	NE SW

Measurement, recording and reporting conditions:

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

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that a fishway to ensure adequate upstream and downstream passage for fish are not necessary at this time, the water user may be required in the future to install, maintain, and operate a fishway to provide adequate upstream and downstream passage for fish.

The water user shall maintain in good working order the 3/32 inch mesh screen located at the suction intake.

The use of water under this right is subject to the terms and conditions of contract No. U&I 2001-1, or a satisfactory replacement, between the Douglas County and the applicant, a copy of which is on file in the records of the Water Resources Department.

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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued JUL 11 2014.



Dwight W. French
Administrator, Water Right Services, for
Director
Oregon Water Resources Department

