

STATE OF OREGON
COUNTY OF MULTNOMAH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PORT OF PORTLAND
PO BOX 3529
PORTLAND OR 97208

confirms the right to the use of water perfected under the terms of Permit G-15170. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WELL 3 IN ARATA CREEK BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE AND VOLUME: 0.684 CUBIC FOOT PER SECOND, LIMITED TO NO MORE THAN 756.5 ACRE-
FEET PER YEAR

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 15, 2001

The well is located as follows:

| Twp | Rng | Mer | Sec | Q-Q | DLC | Measured Distances |
|-----|-----|-----|-----|-------|-----|---|
| 1 N | 3 E | WM | 34 | SW SE | 55 | 585 FEET NORTH AND 50 FEET EAST FROM S1/4 CORNER, SECTION 34 |

A description of the place of use is as follows:

| Twp | Rng | Mer | Sec | Q-Q | DLC |
|-----|-----|-----|-----|-------|-----|
| 1 N | 3 E | WM | 34 | SW NE | 55 |
| 1 N | 3 E | WM | 34 | SW NE | 57 |
| 1 N | 3 E | WM | 34 | SE NE | 57 |
| 1 N | 3 E | WM | 34 | SW NW | 55 |
| 1 N | 3 E | WM | 34 | SE NW | 55 |
| 1 N | 3 E | WM | 34 | NE SW | 55 |
| 1 N | 3 E | WM | 34 | NW SW | 55 |
| 1 N | 3 E | WM | 34 | SW SW | 55 |
| 1 N | 3 E | WM | 34 | SE SW | 55 |

| Twp | Rng | Mer | Sec | Q-Q | DLC |
|-----|-----|-----|-----|-------|-----|
| 1 N | 3 E | WM | 34 | NE SE | 57 |
| 1 N | 3 E | WM | 34 | NW SE | 55 |
| 1 N | 3 E | WM | 34 | NW SE | 57 |
| 1 N | 3 E | WM | 34 | SW SE | 54 |
| 1 N | 3 E | WM | 34 | SW SE | 55 |
| 1 N | 3 E | WM | 34 | SW SE | 57 |
| 1 N | 3 E | WM | 34 | SE SE | 57 |
| 1 N | 3 E | WM | 35 | NW SW | 57 |
| 1 N | 3 E | WM | 35 | SW SW | 57 |

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.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device approved by the Director 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.

To monitor the effect of water use from the well(s) authorized under this right, the Director requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The reference level against which any future measurements will be compared is 284.0 feet below land surface.

The period of non-use or restricted use shall continue until the water level rises above the decline level which triggered the action 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. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

Use may be restricted if the Director determines the use contributes to pollution of the aquifer.

Groundwater for use under this right shall be produced only from the Troutdale sandstone reservoir between 300 and 500 feet below land surface.

The use of water under terms of this certificate is subject to regulation concurrent with or prior to regulation of a senior water right competing for water from the same source when regulation is the result of water level decline that exceeds limits specified in the senior right.

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 interferences.

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 useable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the wells at all times.

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.

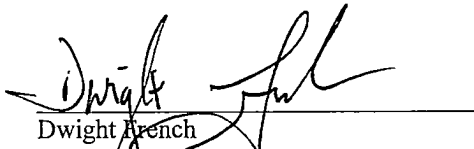
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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

This certificate is issued to confirm changes in CHARACTER OF USE and PLACE OF USE approved by an order of the Water Resources Director entered MAY 28, 2014, at Special Order Volume 92, Page 643, approving Transfer Application 11481, supersedes Certificate 87783, State record of Water Right Certificates.

Issued MAY 24 2018 .



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department