

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAMONTAI IMPROVEMENT DISTRICT
 PO BOX 1257
 COTTAGE GROVE OR 97424

confirms the right to use the waters of 16 WELLS WITHIN THE WILLAMETTE RIVER BASIN for 98 HOUSEHOLDS, being 14 wells for DOMESTIC USE EXPANDED; and two wells (Wells 11 and 12) for DOMESTIC USE May 1 through November 30, and DOMESTIC USE EXPANDED from December 1 through April 30.

This right was perfected under Permit G-12040. The date of priority is February 1, 1994 for all wells except Well 12; the date of priority for Well 12 is August 28, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.431 CUBIC FEET per SECOND (cfs), being 0.04 cfs from Well 1, 0.022 cfs from Well 2, 0.020 cfs from Well 3, 0.016 cfs from Well 4, 0.022 cfs each from Well 5 and Well 6, 0.027 cfs from Well 7, 0.022 cfs from Well 8, 0.018 cfs from Well 9, 0.033 cfs from Well 10, 0.013 cfs from Well 11, 0.033 cfs from Well 12, 0.016 cfs from Well 13, 0.020 cfs from Well 14, 0.040 cfs from Well 15, and 0.067 cfs from Well 16; measured at the wells.

The period of use is YEAR-ROUND for domestic use expanded for all wells except for Wells 11 and 12. For Wells 11 and 12, the period of use is YEAR-ROUND for domestic use and DECEMBER 1 THROUGH APRIL 30 for domestic use expanded.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
20 S	3 W	WM	31	NE SE		76	WELL 6 - 1342.4 FEET NORTH AND 581.6 FEET WEST FROM SE CORNER, SECTION 31
20 S	3 W	WM	31	SE SE			WELL 7 - 1257.2 FEET NORTH AND 937.4 FEET WEST FROM SE CORNER, SECTION 31
20 S	3 W	WM	31	SE SE			WELL 2 - 85.8 FEET NORTH AND 300 FEET WEST FROM SE CORNER, SECTION 31
20 S	3 W	WM	31	SE SE			WELL 4 - 383 FEET NORTH AND 1220 FEET WEST FROM SE CORNER, SECTION 31
20 S	3 W	WM	32	NW SW			WELL 16 - 2603 FEET NORTH AND 187.4 FEET EAST FROM SW CORNER, SECTION 32
20 S	3 W	WM	32	NW SW		76	WELL 5 - 1719.6 FEET NORTH AND 207.9 FEET EAST FROM SW CORNER, SECTION 32
20 S	3 W	WM	32	SW SW	2		WELL 1 - 140.1 FEET NORTH AND 719.7 FEET EAST FROM SW CORNER, SECTION 32
20 S	3 W	WM	32	SW SW	2		WELL 14 - 239.6 FEET NORTH AND 229.5 FEET EAST FROM SW CORNER, SECTION 32

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.

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
20 S	3 W	WM	32	SW SW	2		WELL 15 – 206.9 FEET NORTH AND 387.4 FEET EAST FROM SW CORNER, SECTION 32
21 S	3 W	WM	5	NW NE	2		WELL 11 – 883.6 FEET SOUTH AND 3340.7 FEET EAST FROM NW CORNER, SECTION 5
21 S	3 W	WM	5	NW NE		40	WELL 12 – 1089.3 FEET SOUTH AND 2924.7 FEET EAST FROM NW CORNER, SECTION 5
21 S	3 W	WM	5	NW NW	1		WELL 13 – 958 FEET SOUTH AND 376 FEET EAST FROM NW CORNER, SECTION 5
21 S	3 W	WM	5	NW NW	1		WELL 8 – 940.2 FEET SOUTH AND 1096.6 FEET EAST FROM NW CORNER, SECTION 5
21 S	3 W	WM	5	NW NW	1		WELL 9 – 720.1 FEET SOUTH AND 1260 FEET EAST FROM NW CORNER, SECTION 5
21 S	3 W	WM	5	NW NW	1		WELL 10 – 1246.6 FEET SOUTH AND 1108.5 FEET EAST FROM NW CORNER, SECTION 5
21 S	3 W	WM	6	NE NE			WELL 3 – 1198.7 FEET SOUTH AND 1207.6 FEET WEST FROM NE CORNER, SECTION 6

The place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
20 S	3 W	WM	31	NE SE		
20 S	3 W	WM	31	SE SE		
20 S	3 W	WM	32	NW SW		76
20 S	3 W	WM	32	SW SW	2	
21 S	3 W	WM	5	NW NW	1	
21 S	3 W	WM	6	NE NE		

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device, Wells 1-15, and the totalizing flow meter at Well 16, 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.

Well 16 is limited to 350,000 gallons per month.

The use of Well 16 shall be subordinate to the legal use of water under rights located at 428 Talemene Drive and 432 Talemene Drive (Crabtree and Wahlstrom) that have been established under ORS 537.545.

Each March the water user shall obtain and submit to the Department a water level measurement for either Well 16 or LANE 2843 (Nelson Well). Measurements can be made by the water user, a qualified employee, or a suitable contractor as long as the water user can demonstrate, to the satisfaction of the Department, that accurate and reliable data are being collected. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. Airline measurements shall be verified at least once per year with an electric water-level measuring tape. Each water-level measurement shall be reported as depth-to-water below ground surface to at least the nearest tenth of a foot. The gage pressure and the airline length shall be reported for all airline measurements. Each measurement shall include:

- a) The owner's well name or number;
- b) The well tag number or OWRD well log id;
- c) The date and time of the measurement;
- d) The method of measurement (airline, electric tape, steel tape, etc...);
- e) The status of the measurement (static, rising, falling, pumping, etc...);
- f) The length of time the pump was off, in days, hours, and minutes;
- g) The status of any adjacent pumping wells (on, off, pumping rate);
- h) The name of the person making the measurement;
- i) Any pertinent comments regarding conditions in the well or at the well site that might affect the water level in the well.

The water user shall submit reports of static water levels and water use at other intervals as requested by the watermaster.

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

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 test results every ten years.

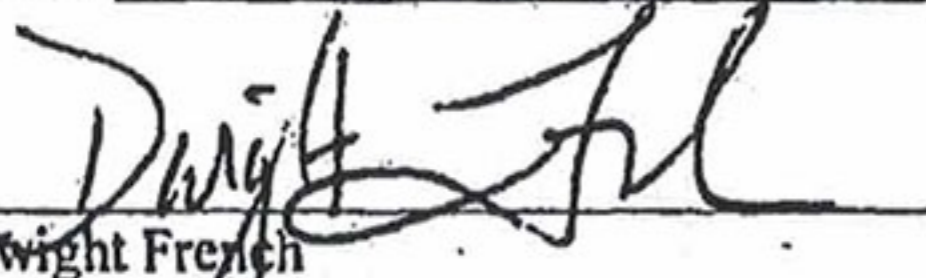
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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.

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