

This is a final 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. 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RALPH GANO MILLER
4741 ALTA RICA DRIVE
LA MESA, CALIFORNIA 92041

confirms the right to use the waters of AN UNNAMED DRAW, FERN CREEK, AND 3 RESERVOIRS, tributaries of BIG WALL CREEK, for IRRIGATION OF 54.6 ACRES AND STOCK WATER.

This right was perfected under Permit 45463. The date of priority is OCTOBER 13, 1980. This right is limited to 0.705 CUBIC FOOT PER SECOND (CFS), BEING 0.005 CFS FROM UNNAMED DRAW/RESERVOIR 1, AND 0.005 CFS FROM EACH RESERVOIR 2 AND RESERVOIR 3 FOR STOCK WATER, 0.29 CFS FROM RESERVOIR 2 AND FERN CREEK FOR IRRIGATION OF 16.9 ACRES, AND 0.40 CFS FROM RESERVOIR 3 AND FERN CREEK FOR IRRIGATION OF 37.7 ACRES, or its equivalent in case of rotation, measured at the points of diversion from the source.

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

POD # 1 (FERN CREEK): SW 1/4 NE 1/4, SECTION 2, T 8 S, R 27 E, W.M.; 1900 FEET SOUTH AND 1360 FEET WEST FROM THE NORTHEAST CORNER, SECTION 2.

POD 2 AND RESERVOIR 2: SE 1/4 NE 1/4, SECTION 2, T 8 S, R 27 E, W.M.; 1870 FEET SOUTH AND 550 FEET WEST FROM THE NORTHEAST CORNER, SECTION 2.

POD 3 AND RESERVOIR 3: SE 1/4 NE 1/4, SECTION 2, T 8 S, R 27 E, W.M.; 1850 FEET SOUTH AND 1030 FEET WEST FROM THE NORTHEAST CORNER, SECTION 2.

RESERVOIR 1: NW 1/4 SW 1/4, SECTION 1, T 8 S, R 27 E, W.M.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use to which this right is appurtenant is as follows:

UNNAMED DRAW AND RESERVOIR 1
NW 1/4 SW 1/4 STOCK WATER
SECTION 1

FERN CREEK AND RESERVOIR 2
SW 1/4 NW 1/4 8.2 ACRES
SE 1/4 NW 1/4 2.5 ACRES
NE 1/4 SW 1/4 0.6 ACRE
NW 1/4 SW 1/4 2.6 ACRES AND STOCK WATER
SECTION 1

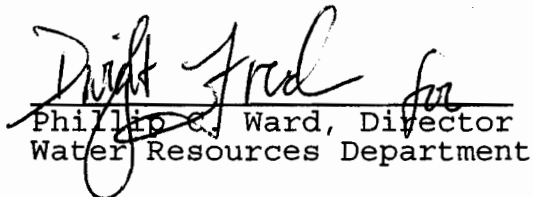
NW 1/4 SW 1/4 3.0 ACRES AND STOCK WATER
SECTION 2

FERN CREEK AND RESERVOIR 3
NW 1/4 NE 1/4 37.2 ACRES
SE 1/4 NE 1/4 STOCK WATER
NE 1/4 NW 1/4 0.5 ACRE
SECTION 2
TOWNSHIP 8 SOUTH, RANGE 27 EAST, W.M.

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

WITNESS the signature of the Water Resources Director, affixed

SEP 01 2006


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82292.