

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

TOP RANCH
ATTN: RALPH GANO MILLER, PRESIDENT
4741 ALTA RICA DRIVE
LA MESA, CALIFORNIA 92041

confirms the right to use the waters of TWO SPRINGS, tributaries of NORTH FORK JOHN DAY RIVER, for LIVESTOCK (STOCKWATER).

This right was perfected under Permit 48033. The date of priority is SEPTEMBER 6, 1983. This right is limited to 0.01 CUBIC FOOT PER SECOND (CFS), BEING 0.005 CFS FROM EACH SPRING, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SPRING #2: NE 1/4 SE 1/4, SECTION 34, T 7 S, R 27 E, W.M.; 1440 FEET NORTH AND 1080 FEET WEST FROM THE SE CORNER, SECTION 34.

SPRING #4: NE 1/4 SE 1/4, SECTION 35, T 7 S, R 27 E, W.M.; 1400 FEET NORTH AND 200 FEET WEST FROM THE SE CORNER, SECTION 35.

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

SPRING #2
NE 1/4 SE 1/4
SECTION 34

SPRING #4
NE 1/4 SE 1/4
SECTION 35
TOWNSHIP 7 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 29 2006.



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82315.

S-65973.JWG