

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

CO-GEN COMPANY
PO BOX 66
RIDDLE, OREGON 97469

confirms the right to use the waters of A WELL in the JOHN DAY BASIN for the purpose of INDUSTRIAL USES TO INCLUDE OPERATION OF CO-GENERATION PLANT, BOILER AND COOLING WATER.

The right has been perfected under Permit G-10752. The date of priority is MARCH 19, 1987. The right is limited to not more than 120 GALLONS PER MINUTE or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, SECTION 10, T 13 S, R 33 E, W.M.; 1000 FEET SOUTH AND 1040 FEET WEST FROM NE CORNER, SECTION 10.

The use of water shall be limited to any deficiency in the available supply from the John Day River allowed under Permit 49760 or to periods of emergency or when flows in the John Day River are turbid, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NE 1/4 NE 1/4
SECTION 10
TOWNSHIP 13 SOUTH, RANGE 33 EAST, W.M.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed **JAN 19 2007**



Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number 82329

G-11635.JWG