

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.

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CO-GEN CO. AND PRAIRIE WOOD PRODUCTS
P.O. BOX 66
RIDDLE, OREGON 97469

confirms the right to use the waters of JOHN DAY RIVER, a tributary of COLUMBIA RIVER, for INDUSTRIAL USE, INCLUDING OPERATION OF A POWER PLANT, LOG DECK SPRINKLING AND GENERAL SAWMILL USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 15, at Page 461. The date of priority is 1868.

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion shall not exceed 0.438 CUBIC FOOT PER SECOND and that the quantity of water diverted at the old point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 10, T 13 S, R 33 E, W.M.; 290 FEET NORTH AND 520 FEET WEST FROM THE E 1/4 CORNER, SECTION 10.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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Certificate Number 82330

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

NE 1/4 NE 1/4
SE 1/4 NE 1/4
SECTION 10

NW 1/4 NW 1/4
SECTION 11

TOWNSHIP 13 SOUTH, RANGE 33 EAST, W.M.

The use of water shall be limited to the irrigation season of each year from APRIL 1 TO SEPTEMBER 30.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

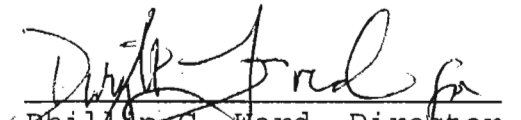
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

This certificate is issued to confirm a change in USE OF THE WATER, PLACE OF USE, AND POINT OF DIVERSION approved by an order of the Water Resources Director entered DECEMBER 22, 1988, and supersedes Certificate 39589, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed

JAN 19 2007


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 82330

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