

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

JAMES DRISCOLL & GAIL GEARIN
4825 SW DOSCH PARK LN
PORTLAND OR 97239

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 17.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 7.0 ACRES.

This right was perfected under Permit 45796. The date of priority is APRIL 28, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.60 CUBIC FOOT PER SECOND (CFS), being 0.08 CFS for irrigation of 3.3 acres under point of diversion (POD) # 1, and 0.52 CFS for irrigation of 13.8 acres and supplemental irrigation of 7.0 acres under POD # 2, 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: NW 1/4 NE 1/4, SECTION 30, T 11 S, R 26 E, W.M.; 730 FEET SOUTH & 1600 FEET WEST FROM THE NE CORNER, SECTION 30.

POD # 2: NW 1/4 SW 1/4, SECTION 20, T 11 S, R 26 E, W.M.; 2350 FEET NORTH AND 190 FEET EAST FROM THE SW CORNER, SECTION 20.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

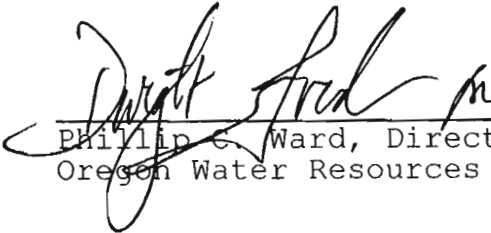
A description of the place of use to which this right is appurtenant is as follows:

		PRIMARY	SUPPLEMENTAL
POD # 2	SW 1/4 NW 1/4	3.6 ACRES	
	SE 1/4 NW 1/4	1.8 ACRES	
	NE 1/4 SW 1/4	3.2 ACRES	
	NW 1/4 SW 1/4	5.2 ACRES	7.0 ACRES
	SECTION 20		
POD # 1	NW 1/4 NE 1/4	1.5 ACRES	
	SW 1/4 NE 1/4	1.8 ACRES	
	SECTION 30		
	TOWNSHIP 11 SOUTH, RANGE 26 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 **OCT 06 2006**


 Phillip E. Ward, Director
 Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82384.