

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 WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES AND JOYCE BROOKS
HC 69, BOX 731
MITCHELL, OREGON 97750

confirms the right to use the waters of AN UNNAMED SPRING, DRAW 1 AND WEST BRANCH BRIDGE CREEK, tributaries of JOHN DAY RIVER, for DOMESTIC USE FOR ONE HOUSEHOLD INCLUDING IRRIGATION OF NOT TO EXCEED ONE-HALF ACRE LAWN AND NONCOMMERCIAL GARDEN, AND IRRIGATION OF 62.0 ACRES.

This right was perfected under Permit 47328. The date of priority is OCTOBER 19, 1982. This right is limited to 1.56 CUBIC FOOT PER SECOND (CFS) or its equivalent in case of rotation, measured at the points of diversion from the sources, being 0.01 CFS of water from the unnamed spring for domestic use, 1.42 CFS from WEST BRANCH BRIDGE CREEK for irrigation, and 0.13 CFS from DRAW 1 when available, with any deficiency in the available supply from DRAW 1 to be made up by appropriation from WEST BRANCH BRIDGE CREEK provided that the total quantity diverted from both sources shall not exceed 0.13 CFS, for irrigation.

Application S-64480.JWG

Certificate Number 82387

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

POD # 1 - LOT 10 (NW 1/4 SE 1/4), SECTION 25, T 11 S, R 20 E, W.M.; 1600 FEET NORTH AND 1950 FEET WEST FROM THE SE CORNER OF SECTION 25.

POD # 2 - LOT 14 (SE 1/4 SW 1/4), SECTION 25, T 11 S, R 20 E, W.M.; 800 FEET NORTH AND 2030 FEET EAST FROM THE SW CORNER OF SECTION 25.

POD # 3 - SE 1/4 NE 1/4, SECTION 35, T 11 S, R 20 E, W.M.; 1750 FEET SOUTH AND 500 FEET WEST FROM THE NE CORNER OF SECTION 35.

POD # 4 - NW 1/4 SE 1/4, SECTION 35, T 11 S, R 20 E, W.M.; 3350 FEET SOUTH AND 2350 FEET WEST FROM THE NE CORNER OF SECTION 35.

POD # 5 - LOT 10 (NW 1/4 SE 1/4), SECTION 36, T 11 S, R 20 E, W.M.; 3360 FEET SOUTH AND 2550 FEET WEST FROM THE NE CORNER OF SECTION 36.

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 4.0 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:

POD # 1 & DEFICIENCY FROM POD #3; DRAW 1	LOT 10 (NW 1/4 SE 1/4)	5.0 ACRES
POD # 2	LOT 7 (SW 1/4 NE 1/4)	5.0 ACRES
NORTH	LOT 11 (NE 1/4 SW 1/4)	4.3 ACRES
SIDE DITCH	LOT 14 (SE 1/4 SW 1/4)	1.2 ACRES
	LOT 10 (NW 1/4 SE 1/4)	3.2 ACRES
POD # 2	LOT 11 (NE 1/4 SW 1/4)	1.5 ACRES
SOUTH	LOT 14 (SE 1/4 SW 1/4)	3.5 ACRES
SIDE DITCH	LOT 10 (NW 1/4 SE 1/4)	9.2 ACRES
POD # 3	LOT 13 (SW 1/4 SW 1/4)	3.0 ACRES
	LOT 14 (SE 1/4 SW 1/4)	5.3 ACRES
	LOT 10 (NW 1/4 SE 1/4)	1.5 ACRES
	LOT 15 (SW 1/4 SE 1/4)	1.0 ACRE
POD # 2	LOT 7 (SW 1/4 NE 1/4)	6.9 ACRES
SOUTH SIDE	LOT 10 (NW 1/4 SE 1/4)	1.5 ACRES
OR POD # 3		

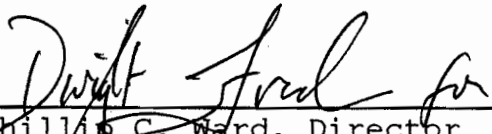
POD # 4

LOT 11 (NE 1/4 SW 1/4)	0.9 ACRE
LOT 13 (SW 1/4 SW 1/4)	5.8 ACRES
LOT 14 (SE 1/4 SW 1/4)	3.2 ACRES

POD # 5 (UNNAMED SPRING) LOT 15 (SW 1/4 SE 1/4) DOMESTIC INCLUDE 1/2
ACRE LAWN AND NON-COMMERCIAL GARDEN
SECTION 25
TOWNSHIP 11 SOUTH, RANGE 20 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 9/25/06.


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates numbered 82387

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