

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

RANCE KASTOR  
WEST STAR ROUTE  
MT VERNON, OR 97865

confirms the right to use the waters of GRUB CREEK AND AN UNNAMED SPRING, a tributary of JOHN DAY RIVER, for DOMESTIC USE FOR ONE HOUSEHOLD AND IRRIGATION OF 15.7 ACRES.

This right was perfected under Permit 44006. The date of priority is SEPTEMBER 7, 1978. This right is limited to 0.395 CUBIC FOOT PER SECOND, BEING 0.005 FOR DOMESTIC USE FROM THE UNNAMED SPRING; AND 0.39 FOR IRRIGATION FROM GRUB CREEK, 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 (UNNAMED SPRING): NW 1/4 SE 1/4, SECTION 32, T 12 S, R 32 E, W.M.; 1630 FEET NORTH & 1360 FEET WEST FROM THE SE CORNER, SECTION 32.

POD 2 (GRUB CREEK): NW 1/4 NE 1/4, SECTION 5, T 13 S, R 32 E, W.M.; 1050 FEET SOUTH & 3200 FEET EAST FROM THE NW CORNER, SECTION 5.

POD 3 (GRUB CREEK): NE 1/4 NW 1/4, SECTION 8, T 13 S, R 32 E, W.M.; BEING 280 FEET SOUTH & 1450 FEET EAST FROM THE NW CORNER, SECTION 8.

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:

SE 1/4 NW 1/4      DOMESTIC  
SECTION 4

NE 1/4 NE 1/4      2.3 ACRES  
NW 1/4 NE 1/4      8.5 ACRES  
SW 1/4 NE 1/4      0.5 ACRE

SECTION 5

NE 1/4 NW 1/4      1.6 ACRES  
NW 1/4 NW 1/4      2.8 ACRES

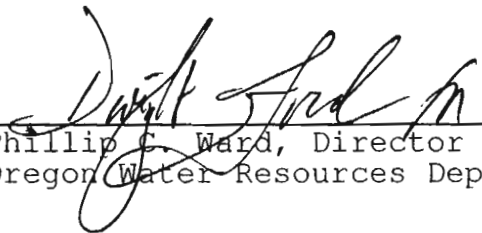
SECTION 8

TOWNSHIP 13 SOUTH, RANGE 32 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**

  
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Phillip C. Ward, Director  
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82467.