

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 WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WASCO COUNTY, A MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF OREGON
COURTHOUSE
THE DALLES, OREGON 97058

confirms the right to use the waters of A SPRING, a tributary of WAPINITIA CREEK, for OPERATION OF A ROCK CRUSHER PLANT AND FOR ROAD CONSTRUCTION AND MAINTENANCE.

This right was perfected under Permit 44210. The date of priority is JUNE 26, 1979. This right is limited to a total of 100.0 GALLONS PER MINUTE (GPM), being 100.0 GPM FOR BOTH USES, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 35, T 5 S, R 11 E, W.M.; 290 FEET NORTH AND 1074 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 35.

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

SE 1/4 SE 1/4 ROCK CRUSHING
 SECTION 35
TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

ROAD CONSTRUCTION AND MAINTENANCE
WITHIN THE SERVICE BOUNDARIES OF WASCO COUNTY

ALL SECTIONS IN
TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

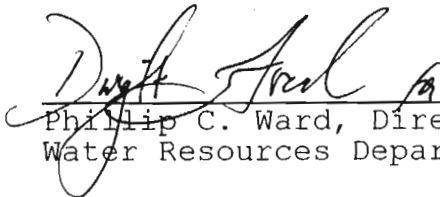
ALL SECTIONS IN
TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

ALL SECTIONS IN
TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

ALL SECTIONS IN
TOWNSHIP 5 SOUTH, RANGE 13 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 **NOV 28 2006**



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82692.

S-58344.JWG