

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 WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICK AND MARLENE STANLEY
PO BOX 207
SPRAY, OREGON 97874

confirms the right to use the waters of JOHN DAY RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 175.4 ACRES.

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 1905.

The amount of water to which this right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 4.61 cubic feet per second, if available at the original points of diversion; BEING NE 1/4 SE 1/4, SECTION 5, and NW 1/4 SW 1/4, SECTION 9, T 9 S, R 25 E, W.M.

The points of diversion are located as follows:

SE 1/4 SW 1/4, SECTION 33, T 8 S, R 25 E, W.M.; 450 FEET NORTH AND 2860 FEET EAST FROM NW CORNER, SECTION 5.

NE 1/4 SE 1/4, SECTION 5, T 9 S, R 25 E, W.M.; 1820 FEET SOUTH AND 4990 FEET EAST FROM NW CORNER, SECTION 5.

SE 1/4 SW 1/4, SECTION 33, T 8 S, R 25 E, W.M.; 1020 FEET NORTH AND 2720 FEET EAST FROM NW CORNER, SECTION 5.

NE 1/4 NE 1/4, SECTION 8, T 9 S, R 25 E, W.M.; 500 FEET SOUTH AND 1000 FEET WEST FROM THE NE 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 per acre, irrigated from April 1 to September 30; further limited to one acre-foot per acre during calendar month; total of 5.0 acre-feet per acre for season.

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

LOT 2 (SW 1/4 NE 1/4)	37.0 ACRES
LOT 1 (SE 1/4 NE 1/4)	17.1 ACRES
LOT 4 (SW 1/4 NW 1/4)	11.2 ACRES
LOT 3 (SE 1/4 NW 1/4)	37.0 ACRES
NE 1/4 SW 1/4	9.0 ACRES
NW 1/4 SW 1/4	18.0 ACRES
NE 1/4 SE 1/4	24.8 ACRES
NW 1/4 SE 1/4	12.5 ACRES
SW 1/4 SE 1/4	1.5 ACRES
SE 1/4 SE 1/4	7.3 ACRES

SECTION 5

TOWNSHIP 9 SOUTH, RANGE 25 EAST, W.M.

When in the judgement 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 water user 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.

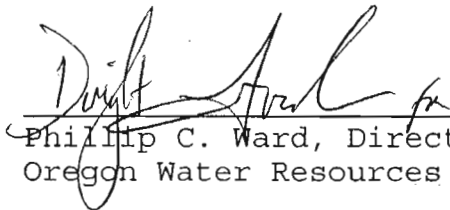
The quantity of water diverted at new point of diversion, together with that diverted at the original points of diversion, shall not exceed the quantity of water available at the original points of diversion under the subject right, and shall not exceed 1/40 cubic foot per second per acre irrigated.

This certificate is issued to confirm an additional POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 25, 1987, approving Transfer Application 5961, and supersedes Certificate 52098, State Record of Water Right Certificates.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed

DEC 01 2006


Phillip C. Ward, Director
Oregon Water Resources Department



Recorded in State Record of Water Right Certificates Number 82757.

T-5961_52098.JWG