

STATE OF OREGON
COUNTY OF WHEELER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLARENCE ASHER
PO BOX 447
FOSSIL OR 97830

confirms the right to store water perfected under the terms of Permit R-10834. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION NUMBER: R-69098

SOURCE: HAYSTACK CREEK, A TRIBUTARY OF JOHN DAY RIVER

STORAGE FACILITY: ASHER RESERVOIR

PURPOSE or USE: STORAGE FOR IRRIGATION, APPROPRIATED UNDER PERMIT S-50044

MAXIMUM STORAGE VOLUME: 5.0 ACRE FEET

DATE OF PRIORITY: MAY 15, 1987

The area submerged by this reservoir is as follows:

Twp	Rng	Mer	Sec	Q-Q
8 S	25 E	WM	28	NW SW

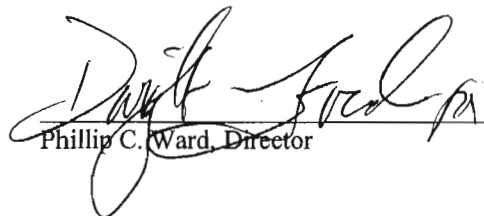
CONDITIONS OF USE

1. The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.
2. The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

WITNESS the signature of the Water Resources Director, affixed NOV 17 2006.


Phillip C. Ward, Director