

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

ROBERT W. STRAUB
2087 ORCHARD HEIGHTS ROAD NW
SALEM, OREGON 97304

confirms the right to use the waters of HENRY CREEK AND KAHLER CREEK, tributaries of the JOHN DAY RIVER, for IRRIGATION OF 37.1 ACRES.

This right was perfected under Permit 49480. The date of priority is SEPTEMBER 12, 1985. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.86 CUBIC FOOT PER SECOND (CFS), being 0.34 CFS from POD 1 (Henry Creek), 0.35 CFS from POD 2 (Henry Creek), and 0.17 CFS from POD 3 (Kahler Creek), or its equivalent in case of rotation, measured at the point of diversion from the source.

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

POD 2 (HENRY CREEK): NW 1/4 SW 1/4, SECTION 33, T 7 S, R 25 E, W.M.; 2050 FEET SOUTH AND 830 FEET EAST FROM THE NW CORNER, SW 1/4 NW 1/4, SECTION 33.

POD 1 (HENRY CREEK): SW 1/4 NW 1/4, SECTION 4, T 8 S, R 25 E, W.M.; 1750 FEET SOUTH AND 200 FEET EAST FROM THE NW CORNER, SECTION 4.

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

POD 1 NE 1/4 SE 1/4 0.7 ACRE
POD 1 SE 1/4 SE 1/4 10.0 ACRES
 SECTION 5
TOWNSHIP 8 SOUTH, RANGE 25 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.

DEC 01 2006


Phillip C. Ward, Director
Water Resources Department

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