

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 WASHINGTON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES A. SMEJKAL  
42142 NW PALACE DRIVE  
BANKS, OREGON 97106

confirms the right to store the waters of MENDENHALL CREEK, a tributary of WEST FORK DAIRY CREEK, in AN UNNAMED RESERVOIR, appropriated under Permit 50433, for RECREATION.

The right to store these waters was perfected under Reservoir Permit R-11009. The date of priority is NOVEMBER 14, 1988. The amount of water entitled to be stored each year under this right is 5.5 ACRE-FEET.

The reservoir is located as follows:

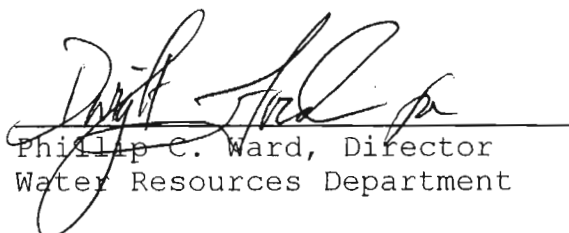
NW $\frac{1}{4}$  SW $\frac{1}{4}$   
SECTION 4  
TOWNSHIP 2 NORTH, RANGE 4 WEST, W.M.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

WITNESS the signature of the Water Resources Director, affixed

JAN 25 2008

  
Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83569.

R-69589.1hn