

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 UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HALE BROTHERS FARMS
P.O. BOX 110
HERMISTON, OR 97838

confirms the right to use the waters of AMMON WELL NO. 1, AMMON WELL NO. 2, HALE SR. WELL, AND HANSON WELL NO. 1 in the BUTTER CREEK BASIN for PRIMARY IRRIGATION OF 96.75 ACRES AND SUPPLEMENTAL IRRIGATION OF 322.59 ACRES.

This right was perfected under Permit G-434. The date of priority is JANUARY 21, 1957. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 4.0 CUBIC FEET PER SECOND (IF LAWFULLY AVAILABLE AT THE ORIGINAL POINTS OF APPROPRIATION BEING AMMON WELL NO. 1 DESCRIBED AS BEING LOCATED WITHIN THE SE 1/4 NW 1/4, SECTION 1, TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.; 10 FEET NORTH AND 2400 FEET EAST; AND AMMON WELL NO. 2 DESCRIBED AS BEING LOCATED WITHIN THE NE 1/4 SE 1/4, SECTION 2, TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.; 100 FEET SOUTH AND 130 FEET WEST, BOTH FROM THE E 1/4 CORNER SECTION 2), or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

AMMON WELL NO. 1 - SE 1/4 NW 1/4, SECTION 1, TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.; 10 FEET NORTH AND 2400 FEET EAST FROM THE E 1/4 CORNER SECTION 2;

AMMON WELL NO. 2 - NE 1/4 SE 1/4, SECTION 2, TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.; 100 FEET SOUTH AND 130 FEET WEST FROM THE E 1/4 CORNER SECTION 2;

HALE SR. WELL - NE 1/4 NE 1/4, SECTION 7, TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.; 1040 FEET SOUTH AND 440 FEET WEST FROM THE NE CORNER SECTION 7; AND

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Certificate Number 81408

HANSON WELL NO. 1 - NW 1/4 NW 1/4, SECTION 12, TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.; 10 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER SECTION 12.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

IRRIGATION

FROM WELLS AMMON 1, AMMON 2, HALE SR., HANSON 1

NE ¼ NE ¼	11.22 ACRES
NW ¼ NE ¼	0.11 ACRE
SW ¼ NE ¼	0.81 ACRE
SE ¼ NE ¼	7.39 ACRES
NE ¼ SE ¼	0.30 ACRE
NW ¼ SE ¼	17.22 ACRES

SECTION 1

SW ¼ NE ¼	6.70 ACRES
SE ¼ NE ¼	34.20 ACRES
NE ¼ SE ¼	1.20 ACRES
NW ¼ SE ¼	17.60 ACRES

SECTION 2

TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.

SUPPLEMENTAL IRRIGATION

FROM WELLS AMMON 2, HALE SR., HANSON 1

NE ¼ NE ¼	18.00 ACRES
NW ¼ NE ¼	40.00 ACRES
SW ¼ NE ¼	39.00 ACRES
SE ¼ NE ¼	5.00 ACRES
SW ¼ NW ¼	40.00 ACRES
SE ¼ NW ¼	39.82 ACRES
NE ¼ SW ¼	38.42 ACRES
NW ¼ SW ¼	38.35 ACRES
NW ¼ SE ¼	17.00 ACRES

SECTION 1

TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.

SE ¼ NE ¼ 5.00 ACRES
NE ¼ SE ¼ 36.00 ACRES
NW ¼ SE ¼ 6.00 ACRES

SECTION 2
TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

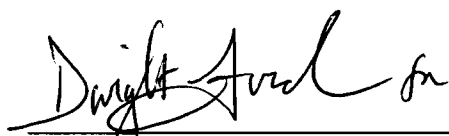
The quantity of water diverted at the new points of appropriation, together with the quantity diverted from the original points of appropriation (AMMON WELL NO. 1 AND AMMON WELL NO. 2) shall not exceed the quantity of water available from the original points of appropriation.

The water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used at each of the new points of appropriation. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered OCTOBER 11, 2004, and supersedes Certificate 53658, State Record of Water Right Certificates.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued May 5, 2005.



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81408.