

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

A AND A FARMS LLC	AND	MIKE MCCARTY
71384 HWY 207		26943 MCCARTY LANE
ECHO, OREGON 97826		ECHO, OREGON 97826

confirms the right to use the waters of BUTTER CREEK, a tributary of the UMATILLA RIVER, for IRRIGATION OF 681.9 ACRES, DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 250. The date of priority is 1883 FOR 5.01 CUBIC FEET PER SECOND (CFS); 1895 FOR 6.40 CFS; AND 1903 FOR 1.50 CFS.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 12.91 CFS, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 NW 1/4, SECTION 27, T 2 N, R 27 E, W.M.;

SE 1/4 NE 1/4, SECTION 28, T 2 N, R 27 E, W.M.;

NW 1/4 SE 1/4, SECTION 22, T 2 N, R 27 E, W.M., 1450 FEET NORTH AND 360 FEET EAST FROM THE N 1/4 CORNER, SECTION 27; AND

NE 1/4 NW 1/4, SECTION 27, T 2 N, R 27 E, W.M., 180 FEET SOUTH AND 1140 FEET WEST FROM THE N 1/4 CORNER, SECTION 27.

T-4681.LHN

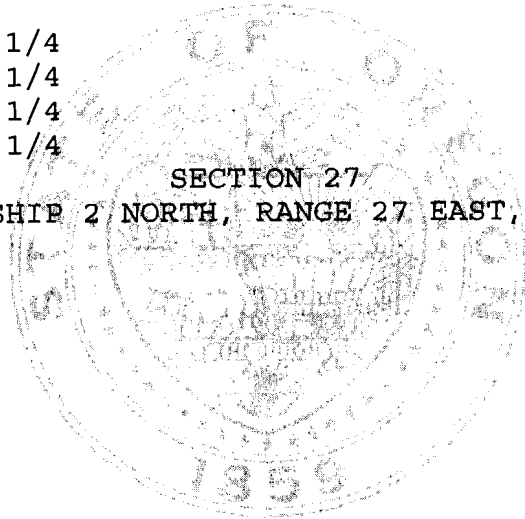
CERTIFICATE NUMBER 81450

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

	<u>MCCARTY</u>	<u>A AND A FARMS</u>
SW 1/4 SE 1/4	40.0 ACRES	
SE 1/4 SE 1/4	40.0 ACRES	
	SECTION 15	
NE 1/4 NE 1/4	36.4 ACRES	
NW 1/4 NE 1/4	40.0 ACRES	
SW 1/4 NE 1/4	40.0 ACRES	
SE 1/4 NE 1/4	35.0 ACRES	
NE 1/4 NW 1/4	40.0 ACRES	
NW 1/4 NW 1/4	16.0 ACRES	
SW 1/4 NW 1/4	37.5 ACRES	
SE 1/4 NW 1/4	40.0 ACRES	
NE 1/4 SW 1/4		40.0 ACRES
NW 1/4 SW 1/4		40.0 ACRES
SW 1/4 SW 1/4		40.0 ACRES
SE 1/4 SW 1/4		40.0 ACRES
NW 1/4 SE 1/4	2.0 ACRES	35.0 ACRES
SW 1/4 SE 1/4		13.0 ACRES
	SECTION 22	
NE 1/4 NW 1/4		31.0 ACRES
NW 1/4 NW 1/4		40.0 ACRES
SW 1/4 NW 1/4		34.5 ACRES
SE 1/4 NW 1/4		1.5 ACRES

SECTION 27

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



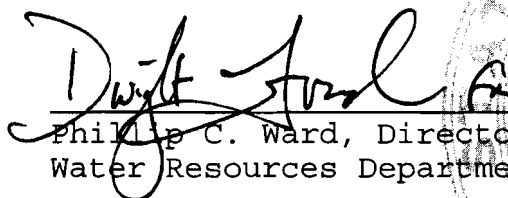
<u>PRIORITY</u>	<u>QUANTITY</u>	<u>TOTAL ACRES</u>	<u>MCCARTY</u>	<u>A AND A FARMS</u>
1883	5.01 CFS	263.7 ACRES	130.2 ACRES (2.53 CFS)	133.5 ACRES (2.48 CFS)
1895	6.40 CFS	335.9 ACRES	169.4 ACRES (3.27 CFS)	166.5 ACRES (3.13 CFS)
1903	1.50 CFS	82.3 ACRES	67.3 ACRES (1.23 CFS)	15.0 ACRES (0.27 CFS)
<u>TOTALS</u>	12.91 CFS	681.9 ACRES	366.9 ACRES (7.03 CFS)	315.0 ACRES (5.88 CFS)

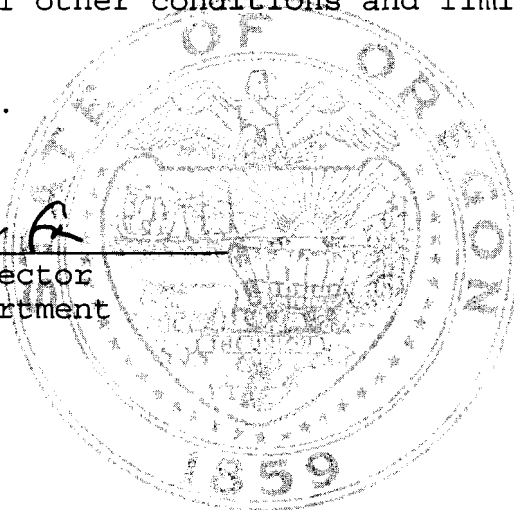
THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE TOTAL QUANTITY OF WATER ALLOWED AND SUPERSEDES CERTIFICATE 78515.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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.

Issued JULY 14, 2005.


Philip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81450.

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