

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

KENT MADISON
29299 MADISON ROAD
ECHO, OREGON 97826

confirms the right to use the waters of two PIT WELLS in the BUTTER CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 73.3 ACRES.

This right was perfected under Permit G-7207. The date of priority is May 26, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.33 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

The wells are located as follows:

FISH WELL (ORIGINAL WELL): NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 30, TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.; 970 FEET SOUTH AND 1950 FEET WEST FROM THE NE CORNER OF SECTION 30.

WINDMILL WELL (NEW WELL): SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 31, TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.; 1620 FEET SOUTH AND 1060 FEET WEST OF THE N $\frac{1}{4}$ CORNER OF SECTION 31.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent, and 3.0 acre-feet 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 for the same land and shall not exceed the limitation allowed herein. This right is limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SW ¼ NW ¼ 36.0 ACRES
SE ¼ NW ¼ 37.3 ACRES
SECTION 30
TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

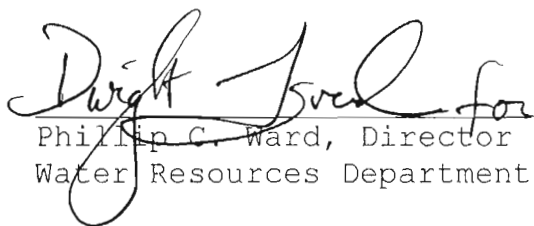
The water user shall maintain the in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated at the new well.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered September 13, 2004, approving Transfer Application 9701, and together with Certificate 80822 supersedes Certificate 64236, State Record of Water Right Certificates.

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

Issued **DEC 20 2007**


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificate Number 83692