

STATE OF OREGON

COUNTIES OF MORROW AND UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EUGENE W WIGLESWORTH  
 223 NW 5<sup>TH</sup> AVE  
 MILTON-FREEWATER OR 97862

confirms the right to use the waters of BUTTER CREEK, tributary to UMATILLA RIVER from four points of diversion for IRRIGATION of 127.5 ACRES.

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 1872 FOR TRACT 1, 1890 FOR TRACT 2, AND 1896 FOR TRACT 3.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.53 CUBIC FEET PER SECOND (CFS), if available at the original points of diversion as identified as Diversion Points A and B herein, being 0.10 CFS for TRACT 1, 1.12 CFS FOR TRACT 2, AND 1.31 CFS FOR TRACT 3, or its equivalent in case of rotation, measured at the points of diversion.

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

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
D	1 N	27 E	WM	3	SW NE	1600 FEET SOUTH & 630 FEET EAST FROM N1/4 CORNER, SECTION 3
C	1 N	27 E	WM	3	NW SE	3465 FEET SOUTH & 845 FEET EAST FROM N1/4 CORNER, SECTION 3
B	1 N	27 E	WM	10	SW NE	10 FEET NORTH & 2000 FEET WEST FROM E1/4 CORNER, SECTION 10
A	1 N	27 E	WM	15	SE NE	1650 FEET SOUTH & 1250 FEET WEST FROM NE CORNER, SECTION 15

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 not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

Twp	Rng	Mer	Sec	Q-Q	Tract	Acres
1 N	27 E	WM	3	NE NE	2	1.3
1 N	27 E	WM	3	NW NE	2	26.8
1 N	27 E	WM	3	NW NE	1	2.2

**NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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.

Twp	Rng	Mer	Sec	Q-Q	Tract	Acres
1 N	27 E	WM	3	SW NE	2	1.9
1 N	27 E	WM	3	SW NE	3	24.5
1 N	27 E	WM	3	SE NE	3	1.7
1 N	27 E	WM	3	NE SW	3	0.1
1 N	27 E	WM	3	NE SE	3	8.9
1 N	27 E	WM	3	NW SE	3	30.7
2 N	27 E	WM	34	NW SE	2	0.2
2 N	27 E	WM	34	SW SE	2	25.6
2 N	27 E	WM	34	SW SE	1	2.8
2 N	27 E	WM	34	SE SE	2	0.8

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original points of diversion, Diversions A and B.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered December 14, 1994, at Special Order Volume 48, Page 372, approving Transfer Application 6680, and supersedes Certificate 64173, State record of Water Right Certificates.

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 FEB 11 2011



Dwight W. French  
Administrator Water Rights and Adjudications, for  
Phillip C. Ward, Director