

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

T.O. WILLIAMS & ASSOCIATES  
C/O RAY WILLIAMS  
49654 UMAPINE RD  
MILTON FREEWATER OR 97862

JOHN C & LINDA K VANDREE,  
TRUSTEES of the REVOCABLE LIVING TRUST OF JOHN C VANDREE & LINDA K VANDREE  
812 GRAND AVENUE  
EVERETT WA 98201

confirms the right to use the waters of NINE WELLS in the SWARTZ SPRING CANYON AND PINE CREEK BASINS for IRRIGATION of 238.4 ACRES, SUPPLEMENTAL IRRIGATION FROM BOTH AQUIFERS OF 33.0 ACRES, SUPPLEMENTAL IRRIGATION from the BASALT AQUIFER OF 91.8 ACRES, SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER OF 494.4 ACRES, and SUPPLEMENTAL IRRIGATION TO MAKE UP DEFICIENCY IN RATE OF 433.0 ACRES FROM BASALT AQUIFER, AND SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 6.4 ACRES FROM THE ALLUVIAL AQUIFER.

This right was perfected under Permit G-13697. The date of priority is APRIL 20, 1998. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 9.562 CUBIC FEET PER SECOND (CFS) measured at the wells as follows: 2.77 CFS FOR IRRIGATION, 0.412 CFS FOR SUPPLEMENTAL IRRIGATION FROM EITHER AQUIFER, AND 1.15 CFS SUPPLEMENTAL IRRIGATION FROM THE BASALT AQUIFER, AND 4.892 CFS FOR SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER, 0.338 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE FROM THE BASALT AQUIFER, AND 0.006 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP DEFICIENCY IN RATE FROM ALLUVIAL AQUIFER. (FOR DEFICIENT RATE FROM THE BASALT AQUIFER DEFICIENCY SEE CERTIFICATES 30636 AND 30638; FOR DEFICIENT RATE FROM THE ALLUVIAL AQUIFER SEE CERTIFICATES 36131 AND 36132 AND PERMIT G-12940) *FURTHER LIMITED TO A MAXIMUM RATE OF 4.67 CFS FROM BASALT WELLS: WILLIAMS WELLS 1, 3, & 4; AND 4.892 FROM ALLUVIAL WELLS: MARCH WELLS 1, 2 & 3, KEY BROTHERS WELLS 1 & 2, AND FROM WILLIAMS WELL 7.*

The period of use is March 1 through October 31.

**NOTICE OF RIGHT TO PETITION FOR 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 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	34 E	WM	22	NE NE	MARCH WELL 3 (UMAT 5378) - ALLUVIAL 60 FEET SOUTH & 10 FEET WEST FROM NE CORNER, SECTION 22
6 N	34 E	WM	23	NE NW	MARCH WELL 1 (UMAT 4113) - ALLUVIAL 650 FEET SOUTH & 90 FEET WEST FROM N1/4 CORNER, SECTION 23
6 N	34 E	WM	23	SW NW	MARCH WELL 2 (UMAT 5357) - ALLUVIAL 10 FEET NORTH & 350 FEET EAST FROM W1/4 CORNER, SECTION 23
6 N	34 E	WM	23	SW SW	KEY BROS WELL 1 (UMAT 4121) - ALLUVIAL 260 FEET NORTH & 1230 FEET EAST FROM SW CORNER, SECTION 23
6 N	34 E	WM	23	SW SW	WILLIAMS WELL 7 (UMAT 52037) - ALLUVIAL 1230 FEET NORTH & 90 FEET EAST FROM SW CORNER, SECTION 23
6 N	34 E	WM	23	SE SW	KEY BROS WELL 2 (UMAT 4122) - ALLUVIAL 30 FEET NORTH & 1620 FEET EAST FROM SW CORNER, SECTION 23
6 N	34 E	WM	27	SE SE	WILLIAMS WELL 3 (UMAT 53567) - BASALT 970 FEET NORTH & 5 FEET EAST FROM SW CORNER, SECTION 26
6 N	34 E	WM	35	NW NW	WILLIAMS WELL 1 (UMAT 4178) - BASALT 670 FEET SOUTH & 35 FEET EAST FROM NW CORNER, SECTION 35
6 N	34 E	WM	35	SE NW	WILLIAMS WELL 4 (UMAT 4177) - BASALT 1290 FEET SOUTH & 1710 FEET EAST FROM NW CORNER, SECTION 35

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

BASALT WELLS = Williams 1, 3, and 4

ALLUVIAL WELLS = Williams 7; March 1, 2, and 3; and Key Brothers 1 and 2

The place of use is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NE NE	24.9
6 N	34 E	WM	22	NW NE	15.0
6 N	34 E	WM	22	SW NE	15.9
6 N	34 E	WM	22	SE NE	16.8
6 N	34 E	WM	22	NE SE	20.7
6 N	34 E	WM	22	NW SE	9.1
6 N	34 E	WM	23	NE NW	13.4
6 N	34 E	WM	23	NW NW	15.5
6 N	34 E	WM	23	SW NW	36.7
6 N	34 E	WM	23	NW SW	5.6
6 N	34 E	WM	26	NE NW	1.6
6 N	34 E	WM	26	SW NW	4.8
6 N	34 E	WM	26	SE NW	2.2
6 N	34 E	WM	26	NE SW	7.4
6 N	34 E	WM	26	NW SW	4.5
6 N	34 E	WM	26	SW SW	1.0
6 N	34 E	WM	26	SE SW	11.8
6 N	34 E	WM	26	SW SE	27.5
6 N	34 E	WM	35	NW NE	3.5
6 N	34 E	WM	35	NW NW	0.5

**SUPPLEMENTAL IRRIGATION FROM EITHER  
AQUIFER**

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	22	NW NE	23.0
6 N	34 E	WM	22	SW NE	10.0

**SUPPLEMENTAL IRRIGATION FROM BASALT  
AQUIFER**

6 N	34 E	WM	23	NW NW	1.6
6 N	34 E	WM	23	SW SW	37.3
6 N	34 E	WM	23	SE SW	38.4
6 N	34 E	WM	26	NE NW	8.0
6 N	34 E	WM	26	NE SW	3.5
6 N	34 E	WM	26	NW SW	0.4
6 N	34 E	WM	27	NE NE	2.2
6 N	34 E	WM	27	SE NE	0.4

**SUPPLEMENTAL IRRIGATION FROM ALLUVIAL  
AQUIFER**

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	34.8
6 N	34 E	WM	26	NW NW	39.6
6 N	34 E	WM	26	SW NW	29.2
6 N	34 E	WM	26	SE NW	32.9
6 N	34 E	WM	26	NE SW	18.7
6 N	34 E	WM	26	NW SW	37.2
6 N	34 E	WM	26	SW SW	37.1
6 N	34 E	WM	26	SE SW	25.2
6 N	34 E	WM	26	SW SE	12.5
6 N	34 E	WM	27	NE NE	38.0
6 N	34 E	WM	27	SE NE	38.8
6 N	34 E	WM	27	NE SE	36.7
6 N	34 E	WM	27	SE SE	16.6
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
6 N	34 E	WM	35	NW NW	19.4

**SUPPLEMENTAL IRRIGATION FOR A  
DEFICIENCY FROM BASALT AQUIFER**

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	34 E	WM	26	NE NW	33.2
6 N	34 E	WM	26	NW NW	39.6
6 N	34 E	WM	26	SW NW	29.2
6 N	34 E	WM	26	SE NW	32.9
6 N	34 E	WM	26	NE SW	15.2
6 N	34 E	WM	26	NW SW	36.8
6 N	34 E	WM	26	SW SW	37.1
6 N	34 E	WM	26	SE SW	25.2
6 N	34 E	WM	26	SW SE	12.5
6 N	34 E	WM	27	NE NE	35.8
6 N	34 E	WM	27	SE NE	38.4
6 N	34 E	WM	35	NW NE	37.1
6 N	34 E	WM	35	NE NW	40.6
6 N	34 E	WM	35	NW NW	19.4

**SUPPLEMENTAL IRRIGATION FOR A  
DEFICIENCY FROM ALLUVIAL AQUIFER**

<b>Twp</b>	<b>Rng</b>	<b>Mer</b>	<b>Sec</b>	<b>Q-Q</b>	<b>Acres</b>
6 N	34 E	WM	26	NE NW	6.4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The Water Resources Department has determined the reference levels based on the March 2007 static water levels in the basalt Williams Wells 1, 3, and 4 and non-basalt March Wells 1 and 2, and Williams Well 7. The table below identifies the reference level below ground surface for each of these six wells.

<b>Static Water Level Reference Levels</b>	
<b>WELL</b>	<b>Below Land Surface</b>
Williams Well 1	60
Williams Well 3	73
Williams Well 4	45
March Well 1	25
March Well 2	45
Williams Well 7	14

For Williams Wells 3 and 4, ground water for use under this permit shall be produced from the basalt aquifers only.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

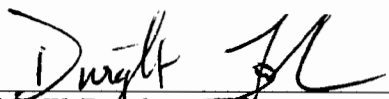
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 use of water shall be limited when it interferes with any prior surface or ground water rights.

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Dwight W. French  
Water Right Services Division Administrator, *for*  
Thomas M. Byler, Director  
Oregon Water Resources Department