

STATE OF OREGON
COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN USE AND PLACE OF USE

Pursuant to ORS 537.705, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves TRANSFERS 6335 and 6336 submitted by

KENT AND SHANNON MADISON AND
HCR 70, BOX 301
ECHO, OREGON 97826

STEELMAN - DUFF, INC.
A WASHINGTON CORPORATION
1490 FAIR STREET
CLARKSTON, WA 99403

to use the waters of A SUMP WELL AND INFILTRATION TRENCH in the BUTTER CREEK BASIN for the purpose of ROAD CONSTRUCTION FROM FEBRUARY 27, 1990 THROUGH DECEMBER 31, 1990.

The right to be transferred was confirmed by final proof survey for Permit G-7612 with a date of priority of JULY 13, 1977. The right is limited to 0.12 cubic foot per second, or its equivalent in case of rotation, measured at the sump.

The point of appropriation is located as follows:

SE 1/4 NW 1/4, SECTION 31, T 3 N, R 28 E, W.M.; 1620 FEET SOUTH & 1060 FEET WEST FROM THE N 1/4 CORNER OF SECTION 31.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the new place of use is as follows:

FROM SW 1/4, SECTION 33, T 4 N, R 28 E, W.M. (I-84 JCT.)
ALONG STATE HIGHWAY 207
TO SE 1/4, SECTION 28, T 2 N, R 27 E, W.M. (BUTTERCREEK JCT.)

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

The amount of water used under this right shall be limited to 30.0 acre feet.

On January 1, 1991, or whenever notice of completion of the construction project is submitted to the Water Resources Director, the right to use the water shall revert back to irrigation of the original 10.0 acres.

A description of the returned place of use is as follows:

NE 1/4 SW 1/4 5.0 ACRES
NW 1/4 SW 1/4 5.0 ACRES
SECTION 30
TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

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

The amount of water used for irrigation under this right 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.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

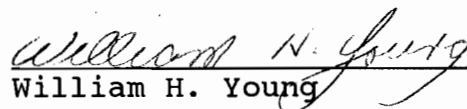
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change back to irrigation shall be completed on or before October 1, 1991.
2. When required by the Department the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water used. 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.
3. The following described lands shall not be irrigated as a part of this water right during the 1990 irrigation season.

NE 1/4 SW 1/4 5.0 ACRES
NW 1/4 SW 1/4 5.0 ACRES
SECTION 30
TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

When satisfactory proof of the completed change is received, a certificate confirming this portion of the water right along with the rest of permit G-7612 will be issued.

WITNESS the signature of the Water Resources Director, affixed February 27, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, Page 71.

T-6335 & T-6336.BE