

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OR 97063

confirms the right to use the waters of the SOUTH FORK BADGER CREEK, a tributary of TYGH CREEK, for IRRIGATION of 386.25 ACRES.

This right was perfected under Permit 2163. The date of priority is AUGUST 8, 1914. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 4.83 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 32, T 3 S, R 11 E, WM; HIGHLAND DITCH - N 65° 21' W, 1938.2 FEET FROM THE E $\frac{1}{4}$ CORNER, SECTION 32.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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 $\frac{1}{4}$ SE $\frac{1}{4}$ 4.50 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.50 ACRES
SECTION 33
TOWNSHIP 3 SOUTH, RANGE 12 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

T-5606.SB

Supervised by
Cert. No. 82975

Certificate Number 80637

~~T-9990~~ ~~T-10228~~ ~~T-8480~~
~~V-712171~~ ~~V-712157~~ ~~V-712192~~

SUPERSEDED BY
CERT. NO. 88423

NE¹/₄ NE¹/₄ 0.30 ACRE
 NW¹/₄ NE¹/₄ 8.90 ACRES
 SW¹/₄ NE¹/₄ 6.00 ACRES

SECTION 12
 TOWNSHIP 4 SOUTH, RANGE 11 EAST, W.M.

SE¹/₄ NE¹/₄ 8.90 ACRES
 SW¹/₄ NW¹/₄ 7.65 ACRES
 NE¹/₄ SE¹/₄ 0.05 ACRE
 NW¹/₄ SE¹/₄ 5.70 ACRES
 SW¹/₄ SE¹/₄ 8.00 ACRES
 SE¹/₄ SE¹/₄ 1.20 ACRES

SECTION 1

SE¹/₄ NE¹/₄ 0.25 ACRE
 SE¹/₄ NW¹/₄ 27.30 ACRES
 NE¹/₄ SW¹/₄ 8.40 ACRES
 SW¹/₄ SW¹/₄ 3.60 ACRES
 NE¹/₄ SE¹/₄ 13.10 ACRES

SECTION 2

SW¹/₄ NE¹/₄ 10.50 ACRES
 NE¹/₄ SE¹/₄ 16.00 ACRES
 SE¹/₄ SE¹/₄ 2.00 ACRES

SECTION 3

NE¹/₄ NE¹/₄ 13.50 ACRES
 NW¹/₄ NE¹/₄ 3.50 ACRES

SECTION 5

NW¹/₄ NW¹/₄ 3.50 ACRES
 SW¹/₄ NW¹/₄ 7.20 ACRES
 SE¹/₄ NW¹/₄ 2.30 ACRES
 NE¹/₄ SW¹/₄ 12.00 ACRES

SECTION 7

SE¹/₄ SW¹/₄ 2.80 ACRES
 NE¹/₄ SE¹/₄ 2.00 ACRES
 NW¹/₄ SE¹/₄ 20.80 ACRES

SECTION 8

NE¹/₄ NW¹/₄ 8.00 ACRES

SECTION 9

NW¹/₄ NE¹/₄ 1.60 ACRES
 NE¹/₄ NW¹/₄ 7.90 ACRES
 NW¹/₄ NW¹/₄ 4.20 ACRES
 NW¹/₄ SW¹/₄ 10.10 ACRES
 SW¹/₄ SW¹/₄ 7.50 ACRES

SECTION 11

NW¹/₄ NE¹/₄ 13.00 ACRES
 SW¹/₄ NE¹/₄ 4.20 ACRES
 NW¹/₄ NW¹/₄ 18.00 ACRES
 SW¹/₄ NW¹/₄ 5.50 ACRES

SECTION 12

NE¹/₄ NW¹/₄ 4.00 ACRES
 NW¹/₄ NW¹/₄ 12.50 ACRES

SECTION 15

NW¹/₄ SW¹/₄ 2.00 ACRES

SECTION 16

NE¹/₄ NW¹/₄ 4.20 ACRES
 NE¹/₄ SE¹/₄ 11.00 ACRES

SECTION 17

TOWNSHIP 4 SOUTH, RANGE 12 EAST, W.M.

SW¹/₄ SW¹/₄ 11.20 ACRES
 SE¹/₄ SW¹/₄ 3.00 ACRES

SECTION 5

SW¹/₄ NW¹/₄ 4.60 ACRES
 NE¹/₄ SW¹/₄ 4.00 ACRES
 NW¹/₄ SW¹/₄ 4.60 ACRES
 SW¹/₄ SE¹/₄ 1.80 ACRES
 SE¹/₄ SE¹/₄ 8.30 ACRES

SECTION 6

NE¹/₄ NE¹/₄ 3.00 ACRES
 SE¹/₄ NE¹/₄ 11.00 ACRES

SECTION 7

NW¹/₄ SW¹/₄ 3.50 ACRES
 SW¹/₄ SW¹/₄ 1.10 ACRES

SECTION 9

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

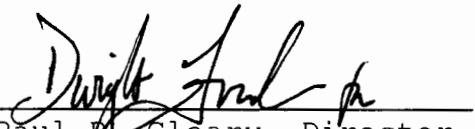
This certificate describes that portion of the water right confirmed by Certificate 46530, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 27, 1979, approving Transfer 4324, entered April 5, 1985 approving Transfer 5606, and entered June 4, 1999, approving Transfer Application 8215, and confirms a change in place of use approved by Transfer 5606.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

A REQUEST FOR RECONSIDERATION OF THE DETERMINATION OF THE EXTENT OF USE OF WATER FOR 0.08 ACRE OF IRRIGATED LAND WAS SUBMITTED BY WESLEY ROSS AND APPROVED BY THE DEPARTMENT ON JULY 20, 2000. THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE USE PERFECTED UNDER THE TERMS AND CONDITIONS OF SPECIAL ORDER OF THE WATER RESOURCES DIRECTOR ENTERED IN APRIL 5, 1985, APPROVING TRANSFER APPLICATION NO. T-5606 AND SUPERSEDES CERTIFICATE 76221.

Issued MARCH 18, 2004.


Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

T-5606A.SB