

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 WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK AND RESERVOIR, constructed under Permit R-773, tributaries of the WHITE RIVER, for IRRIGATION of 2.9 ACRES.

This right was perfected under Permit 22633. The date of priority is APRIL 12, 1941 for 0.03 cubic foot per second (CFS) and MARCH 20, 1951 for 0.04 CFS.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of a second foot per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit Number R-773.

The points of diversion are located as follows:

SW 1/4 SW 1/4, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 10 EAST, W.M.;
400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER, SECTION 16.

NE 1/4 SW 1/4, SECTION 29, TOWNSHIP 3 SOUTH, RANGE 11 EAST, W.M.;
1290 FEET SOUTH AND 550 FEET WEST FROM THE C 1/4 CORNER, SECTION 29.

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:

LOT 4 (SW 1/4 SW 1/4) 2.9 ACRES
SECTION 7
TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered NOVEMBER 27, 1979, approving Transfer Application 4312, together with an order of the Water Resources Director entered JUNE 4, 1999, approving Transfer Application 8215, and Certificate 76222, supersedes Certificate 46531, State Record of Water Right Certificates.

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.

WITNESS the signature of the Water Resources Director, affixed

OCT 06 2006



Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82337