

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

IRL DAVIS, JR
RT 1, BOX 41 ID
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of SOUTH FORK BADGER CREEK, a tributary of the TYGH CREEK, for IRRIGATION of 2.6 ACRES.

This right was perfected under Permit 2163. The date of priority is AUGUST 8, 1914. This right is limited to a diversion of 0.03 cubic foot per second or its equivalent in case of rotation, measured at the point of diversion from the source.

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 a second foot 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 per acre for each acre irrigated during the irrigation season of each year.

The point of diversion are located as follows:

HIGHLAND DITCH: SW 1/4 NE 1/4, SECTION 32, TOWNSHIP 3 SOUTH,
RANGE 11 EAST, W.M.; NORTH 65 DEGREES 21 MINUTES WEST 1938.2 FEET
FROM THE E 1/4 CORNER SECTION 32

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

LOT 4 (SW 1/4 SW 1/4) 2.6 ACRES
SECTION 7
TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

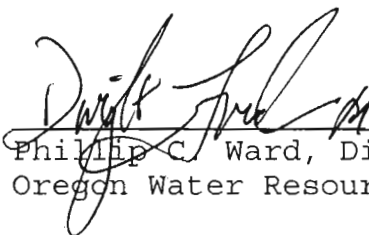
the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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 the existing minimum flow policies established by Water Policy Review Board.

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 4324, and together with orders entered APRIL 5, 1985, approving Transfer Application 5606, JUNE 4, 1999, approving Transfer Application 8215, and Certificate 76221, supersedes Certificate 46530, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed

OCT 20 2006


Philip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82338