

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER VENTURES LLC
68281 CRANE-BUCHANAN ROAD
BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit G-7076. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A WELL IN MALHEUR LAKE BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 31.3 ACRES

MAXIMUM RATE: 0.39 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JANUARY 18, 1977

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
22 S	33 E	WM	34	SE SW	WELL HARN 52494 - 500 FEET NORTH AND 2320 FEET EAST FROM SW CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be 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 per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
22 S	33 E	WM	34	NE SE	30.6
22 S	33 E	WM	34	NW SE	0.7

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation (new and existing) in good working order.
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

The quantity of water diverted at the new point of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	33 E	WM	11	SW NE	EAST WELL - 1300 FEET NORTH AND 690 FEET EAST FROM C1/4 CORNER, SECTION 11
25 S	33 E	WM	11	NW NW	WEST WELL - 1300 FEET SOUTH AND 1300 FEET EAST FROM NW CORNER, SECTION 11

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works shall include an airline and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of the ground water withdrawn.

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

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed, 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 user shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.

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

This certificate is issued to confirm changes in POINT OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered DECEMBER 5, 2016, at Special Order Volume 103, Page 535, approving Transfer Application 12150, and together with Certificate 92043, supersedes Certificate 82709, State record of Water Right Certificates.

Issued SEP 26 2019.

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