RA Contractor - tacific Hydro

Name McAllister Ranches  By Address 80455 Wamic Market Rd  Tygh Valley: OR. 97063  503-784-0836  Change in Poul  Date filed 8-5-2005  Date of hearing  Place of hearing  Date for application of water  Proof mailed Proof received  Certificate issued Vol. page 780	App. No. — Per. No. — Cert. No. — Certificate cancelled —	TOTAL  APP # APP# CERT# S 10137 S 6734 7221 S 15165 46532 S 2163 80637 S 22633 76222 S 4734 S 27390 76223 S 45212 S 33228 51486 S 53066 S 39616 51487	FEES PAID  Amount  350.00  Cert. Fee  FEES REFUNDED  Amount
REMARI  Hant: Tenneson Engineering Corpf Larry Toll  Rodgin Improvement District: 80309 Ross Rd:  Pine Hollow Cooperative: 80309 Ross Rd: Wamic:  Public Notice 8-16-2005	Wanic. OR. 97063		

Receipt No.

Check No.

### T-9990

Name McAllister Ranches  By  Address 80455 Wamic Market Rol  Tygh Valley: OR. 97063	DESCRIPTION OF WATER RIGHT  BADGER CR, THREEMILE CR, BADGER LK RES HIGHLAND DITCH, PINE HOLLOW RES
	Trib. of
Date filed 8-5-2005  Date of hearing	Name of ditch  O4/27/1925,10/21/1929,08/08/1914,04/12/1941 O3/22/1961,07/23/1968,05/01/1975,03/20/1951  Date of priority  FA MORROW,BADGER IMPROVEMENT DISTRICT PINE HOLLOW COOP,DEPT FISH & WILDLIFE  Adjudication, Vol, page
REMARK  Haint: Tenneson Engineering Corpf Larry Toll  Rodger Smorovement District: 80309 Ross Rd:  Pine Hollow Cooperative: 80309 Ross Rd: Wamic.	Wanic. OR. 97063
Public Notice 8-16-2005  BA Constructions for the Construction	

#### FEES PAID

8 5 05	350.00	Receipt No.
9		
TOTAL		
	Cert. Fee	

#### FEES REFUNDED

Date	Amount	Check No.

R2YYYO	t	2000
APP# APP#	CERT#	410
S 10137 S 673	4 7221	12-4313
5 1308x S 151	65 46532	- cancelled by T-4313 ->
5-3843 S 216	3 80637	
5-191 S 226	33 76222	
5 34734 S 273		
S 45212 S 332		
S 53066 S 396	16 51487	



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

August 12, 2005

MCALLISTER RANCH 80455 WAMIC MARKET RD TYGH VALLEY OR 97063 LARRY TOLL, AGENT 409 LINCOLN STREET THE DALLES OR 97058

Reference: Transfer 9990

On 8-5-2005 we received your water right transfer application requesting a place of use of water from the BADGER CR AND OTHERS, a tributary of the TYGH CR AND OTHERS. The application was accompanied by \$350. Our receipt 76416 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more info on the Reimbursement Authority program, see the website at <a href="http://www.wrd.state.or.us/OWRD/mgmt\_reimbursement.shtml">http://www.wrd.state.or.us/OWRD/mgmt\_reimbursement.shtml</a> or by calling the transfer section.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #3

Badger Improvement District
Pine Hollow Cooperative

enclosure



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

August 12, 2005

Rod French Oregon Department of Fish and Wildlife High Desert District Office 3701 W 13<sup>th</sup> Street The Dalles, Oregon 97058

Reference: Transfer # 9990

Enclosed for your review is a copy of a water right transfer application from Badger Cr., Threemile Cr., Badger Lake Res., Highland Ditch, and Pine Hollow Res. tributary of Tygh Creek, White River, Badger Creek and Pine Hollow Res.

Consistent with the Oregon Plan, we are soliciting your input on whether the proposed transfer would injure an instream water right or any other water right in which ODFW has an interest. If you believe that the transfer would injure a water right, please describe the nature of the injury and provide any supporting information which you have available.

This transfer is not for a permanent or historic change in a point of diversion. Therefore, the provisions of ORS 540.525 and 540.532 related to requirements for fish screens or by-pass devices do not apply.

We must receive your response in our Salem office

Attention: Transfer Section Water Resources Department 725 Summer Street NE Ste A Salem, Oregon 97301

by September 13, 2005 in order to consider it in our decision on the application and to include the appropriate conditions in any approval order. We will presume that you do not have comments and do not intend to request fish screens or by-pass devices if we do not receive a response.

If you have questions, please call 503-986-0883.

Enclosure

cc: Wm # 3

Applicant



Last revised: 10/23/2004

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900 www.wrd.state.or.us

## Application for Water Right

## **Transfer**

WATER RESOURCES DEPT

SALEM, OREGON

**FSD** 

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

#### **APPLICATION FOR:**

Please check one

✓ Water Rig ☐ Historic ☐ To Instr ☐ Other T	Change in POD ream Use		ary Transfer of years	_)	Drought Transfer Point of Diversion C Due to Government	Change
		1. APPLICAN	NT INFORMA	ATIO	<u>N</u>	
Name:		Ranches				
Address:	First 80455 Wamic	Market Road	Last			
	Tygh Valley		OR		97063	
Phone:	City (503) <b>784-08</b> 3	6 (cell)	State		Zip	
*Fax:	Home (541) 544-297	0	Work *E-Mail a	ddres	Other S:	
(The agent	listed is authorized to		INFORMATI		lating to this transfer applicat	tion)
Name:	Tenneson l	Engineering Cor	poration / Larry 7	<b>Foll</b>		
Address:	First 409 Lincol	n Street	Last			
	The Dalles	3	OR		97058	
Phone:	City		State (541) 296-	9177	Zip	
*Fax: (54	Home 41) 296-6657		Work *E-Mail a	ddres	Other S: ltoll@tennesoneng.com	
*Optional infor	mation				RECEIVED AUG 0 5 2005	

#### 3. TYPE OF CHANGE PROPOSED

Please check all that apply

Point of Diversion or Appropriation	Place of Use	Character of Use (n/a for Permit Amendments)
<ul> <li>□ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.)</li> <li>□ Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)</li> <li>□ Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.)</li> <li>□ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion and not as an additional point of appropriation.)</li> </ul>	<ul> <li>☑ All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.)</li> <li>☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)</li> </ul>	Proposed new use:  Irrigation  Municipal  Quasi-municipal  Commercial  Industrial  Instream (complete Supplemental Form B)  Domestic (indicate number of households)  Other  Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
Describe the current water delivand sprinklers used to divert, conveyed from the authorized sow willing, and able to exercise.  The Badger Ditch delivers water	very system. Include information invey and apply the water at the authorized location the right. (Not applicable to application of the right.) The Badge distributes the water. Individual under the system.	uthorized place of use.  of water to be transferred can be on and that the applicant is ready, ons for Permit Amendments.)  ger Ditch diverts up to
irrigate.		-
System capacity:50 cub	ic feet per second (cfs)	

Attach one or more Evidence of Use Affidavits (Supplemental Form A) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years or that a presumption of forfeiture for non-use could be rebutted.

(Not applicable to applications for Permit Amendments.)

T. 9990

Transfer Application/2

AUG 0 5 2005

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

of Decree  t Number  bus Transfer Number  t Number  F.A. Morrow  Authorized Use(s): Irrigation	
t Number  t Number  F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?	Date Claim of Beneficial Use Submitted  Date Claim of Beneficial Use Submitted  Completion Date of Permit
t Number  t Number  F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?	Date Claim of Beneficial Use Submitted  Date Claim of Beneficial Use Submitted  Completion Date of Permit
ous Transfer Number  t Number  F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?	Date Claim of Beneficial Use Submitted  Completion Date of Permit  on
ous Transfer Number  t Number  F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?	Date Claim of Beneficial Use Submitted  Completion Date of Permit  on
F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?Y	Completion Date of Permit  on  Yes  No
F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?Y	Completion Date of Permit  on  Yes  No
F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?Y	on Yes 🛛 No
F.A. Morrow  Authorized Use(s):Irrigation  ed on the water right?Y	on Yes 🛛 No
Authorized Use(s):Irrigation	es ☑ No
water right? Yes No Page 4 must identify which on/appropriation and propose associated with this land? ficate Numbers? Permits 27: pat is supplemental to a prime	laces of use. In addition, source is associated with sed places of use. In  Yes No 390, 33228, and 39616
i	s associated with this land?  ificate Numbers? Permits 27  that is supplemental to a prime fer or be cancelled.

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Certificate Number or other identifying number from <i>Page 3</i> : Permit 6734	Certificate 1	Number or other	identifying number	from Page 3:	Permit 6734
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A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
				-		

#### Location of Existing Authorized Place of Use to be Changed:

Tow	nship	Ra	nge	Mer	Sec	% % Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	SW/NW	••	3.0
								-
								the section of the se
							-	

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Transfer Application/4 A

AUG 0 5 2005

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 6734

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Town	nship	Rai	nge	Mer	Sec	Va Va Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/SW	-	1.2
						SE/SW		1.8
						11		

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:				

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WATER RESOURCES DEPT SALEM, OREGON

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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

V	Certificated Right	46532	15165
		Certificate Number	Permit Number or Decree Name
	Adjudicated, Un-certificated		- <u> </u>
	Right	Name of Decree	Page Number
	Permit for which Proof has		
	been Approved	Permit Number	Date Claim of Beneficial Use Submitted
П	Transferred Right for which		
	Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	Permit for which an		
	Amendment is Requested	Permit Number	Completion Date of Permit
I,	here multiple Priority Dates in	dentified on the water right?  ded on Page 4 must identify a sof diversion/appropriation	which priority date is associated and places of use. In addition,
Are the state of t	Are there other Sources listed of "Yes", any information provious ach of the proposed points of diddition, list those other source. There Other Water Rights or particles of the Permit of Pursuant to ORS 540.510, any ransfer must be included in the marks: No domestic involved we will arks: No domestic involved we will arks.	ded on Page 4 must identify liversion/appropriation and pass:  ermits associated with this law Certificate Numbers? Peright that is supplemental to a transfer or be cancelled.	which source is associated with proposed places of use. In and? Yes No mits 33228 and 39616
-			
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Certificate Number or other identifying number from Page 3:	Permit 15165
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A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

#### Location of Existing Authorized Place of Use to be Changed:

Tow	iship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/NW		2.3 STK Primary
						SE/NW		3.0 STK Primary
4	S	12	E	W	1	SE/NW		3.0 Supplemental

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Transfer Application/4  $\beta$ 

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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 15165

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

	or DLC	(coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Acres (if applicable)	Gov't Lot or DLC	% ¼ Section	Sec	Mer	ige	Rar	ship	Town
Primary			1	W	Е	12	S	4
2.0 + 0.3		NE/SW						
0.3 + 0.8		NW/SW						
1.0		SW/SW						
0.9		SE/SW						
Supplemental								
0.3		NE/SW						
0.8		NW/SW						
1.0		SW/SW						
0.9		SE/SW						

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:		
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1.999	$\mathcal{O}$ Transfer Application/5 $\mathcal{B}$	WATER RESOURCES DEPT SALEM, OREGON

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

	atad Diaht	80637	2163
✓ Certific	cated Right	Certificate Number	Permit Number or Decree Name
Adjudio	cated, Un-certificated		
Right		Name of Decree	Page Number
Permit	for which Proof has		
been A	pproved	Permit Number	Date Claim of Beneficial Use Submitted
Transfe	erred Right for which		
☐ Proof h	as been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	for which an	FRANK A. A. A.	
☐ Amend	ment is Requested	Permit Number	Completion Date of Permit
If "Yes"; with each list those Source(s) of Tribu	ultiple Priority Dates in any information provide of the proposed point of priority dates:  Water Listed on Right cutary to:  Tygh Creek to other Sources listed of	s of diversion/appropriatio  South Fork Badger Creek on the water right?	t? Yes No fy which priority date is associated on and places of use. In addition, k
each of t addition,	the proposed points of a list those other source	liversion/appropriation and	fy which source is associated with d proposed places of use. In land? Yes No
	, what are the Permit o		o a primary right proposed for
Pursuan	t to ORS 540.510, any r must be included in the	rignt that is supplemental to transfer or be cancelled.	o a primary rigin proposed jor
Pursuan transfer			o a primary right proposea jor
Pursuan transfer			o a primary right proposea jor
Pursuan transfer			o a primary right proposed for
Pursuan			o a primary right proposed for
Pursuan transfer			o a primary right proposed for
Pursuan transfer			
Pursuan transfer			RECE

AUG 0 5 2005

Certificate Number	r or other	identifying	number from	Page 3:	Permit 2163	
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A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
		3.0				

#### Location of Existing Authorized Place of Use to be Changed:

Tow	nship	Rai	nge	Mer	Sec	¼¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	w	1	SW/NW		0.4
							-2	
							9	4 1 1 1 1
								4
						Sec.		

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Transfer Application/4 C

AUG 0 5 2005

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 2163

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### **Location of Proposed Place of Use:**

Town	nship	Rar	nge	Mer	Sec	4 4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	w	1	SE/SW		0.4

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:			

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Transfer Application/5 C

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AUG 0 5 2005

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

✓ Certificated Right	76222	22633
Confidence Right	Certificate Number	Permit Number or Decree Name
Adjudicated, Un-certificated		
- Right	Name of Decree	Page Number
Permit for which Proof has		
been Approved	Permit Number	Date Claim of Beneficial Use Submitted
Transferred Right for which		
Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
Permit for which an		
Amendment is Requested	Permit Number	Completion Date of Permit
	vided on <b>Page 4 must</b> identij nts of diversion/appropriatio	
Source(s) of Water Listed on Righ		r Lake Reservoir
Tributary to: Tygh Cree	k	
Are there other Sources listed If "Yes", any information pro- each of the proposed points of addition, list those other source	vided on <b>Page 4 mus</b> t identig diversion/appropriation and	by which source is associated with
Are there Other Water Rights or	permits associated with this	land? 🛛 Yes 🔲 No
If "Yes", what are the Permit	or Certificate Numbers? F	Permits 33228 and 39616
		o a primary right proposed for
transfer must be included in th		
Remarks: All land under this wa	ater right have both priority	dates. It takes both to make
full rate of water on e		
		RECE

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Transfer Application/3 Q

AUG 0 5 2005

Certificate Number	or other	identifying	number from	Page 3:	Permit 22633
--------------------	----------	-------------	-------------	---------	--------------

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

#### Location of Existing Authorized Place of Use to be Changed:

Town	ship	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)		
4	S	12	Е	W	1	SW/NW		0.6		
						SE/NW	0-00	4.9		
								<u> </u>		
								-		
-										

790 Transfer Application/4 D

AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 22633

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Town	ship	Rar	nge	Mer	Sec	4 4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	SW/SW		1.5
						SE/SW	-	4.0
								-

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:		

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AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

✓ Certificated Right	76223	27390
Certificated Right	Certificate Number	Permit Number or Decree Name
Adjudicated, Un-certificated		
☐ Right	Name of Decree	Page Number
Permit for which Proof has		
been Approved	Permit Number	Date Claim of Beneficial Use Submitted
Transferred Right for which		
Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
Permit for which an		
Amendment is Requested	Permit Number	Completion Date of Permit
Name on Permit, Certificate, or Dec		Irrigation & Supplemental Irrigation
with each of the proposed point list those priority dates:	ded on Page 4 must identif s of diversion/appropriation	? Yes No y which priority date is associated n and places of use. In addition,
Source(s) of Water Listed on Right:	Badger Lake Reservoir	
Tributary to: Tygh Creek		
Are there other Sources listed of If "Yes", any information provide ach of the proposed points of a addition, list those other source.	ded on <b>Page 4 must</b> identif liversion/appropriation and	y which source is associated with
Are there Other Water Rights or p	ermits associated with this	land? [7] Yes [7] No
If "Yes", what are the Permit of Pursuant to ORS 540.510, any r transfer must be included in the	r Certificate Numbers? Pright that is supplemental to	Permits 6734, 33228, and 39616
Remarks: No primary irrigation u	nder this right.	
		RECE
		ALIA A

AUG 0 5 2005

Certificate Number of	other identifying	number from	Page 3:	Permit 27390
-----------------------	-------------------	-------------	---------	--------------

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

#### Location of Existing Authorized Place of Use to be Changed:

wi	iship	Rai	nge	Mer	Sec.	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
	S	12	Е	W	1	SW/NW		3.0 Supplemental	
								Badger Lake Reservoir	
_									_
					-				
									RECEIVE
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Transfer Application/4

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete  $\underline{one}$  of the following):

	Certificated Right	51486	33228	
V	Certificated Right	Certificate Number	Permit Number	or Decree Name
П	Adjudicated, Un-certificated		1 2 14	
_	Right	Name of Decree	Page Number	
	Permit for which Proof has			
	been Approved	Permit Number	Date Claim of I	Beneficial Use Submitted
	Transferred Right for which	D ' T C N I	D. Chin St	
	Proof has been Filed	Previous Transfer Number	Date Claim of E	Beneficial Use Submitted
	Permit for which an Amendment is Requested	Permit Number	Completion Date	e of Permit
	ne on Permit, Certificate, or Dec			
Cou	nty: Wasco	Authorized Use(s):	rrigation, Supplemental	rrigation, Recreation
1	If "Yes", any information provi with each of the proposed point list those priority dates:  rce(s) of Water Listed on Right	s of diversion/appropriatio  Badger Creek and Pine H	n and places of use	
	Tributary to: White River			
	Are there other <b>Sources</b> listed of If " <b>Yes</b> ", any information provi each of the proposed points of a addition, list those other source	ded on <b>Page 4 must</b> identij liversion/appropriation and	fy which source is	
Are	there Other Water Rights or p	permits associated with this	land?   Yes [	] No
	If "Yes", what are the Permit of Pursuant to ORS 540.510, any t transfer must be included in the	right that is supplemental to		
Ren	narks: Recreation is an in rese	ervoir use.		
				RECEIVED
				AUG 0 5 2005
	= 000 h	Transfer Application/3		WATER RESOURCES DI SALEM, OREGON

1.9990

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 27390

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Towns	ship	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
1	1	- 3						
								• • • • • • • • • • • • • • • • • • • •

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Town	nship.	Rai	nge	Mer	Sec	4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	sw/sw	-	1.2
				. 11	7 39	SE/SW		1.8
-								
			7 3					
			1					
						965		

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: From Badger Lake Reservoir for Supplemental Irrigation.

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WATER RESOURCES DEPT SALEM, OREGON

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Certificate Number or other identifying number from Page 3: Permit 33228

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on *Page 3* affected by this transfer? \( \subseteq \text{Yes} \) No If "Yes", the remainder of this page need not be completed. If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

> Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	V4 V4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

#### Location of Existing Authorized Place of Use to be Changed:

Cowi	nship	Rai	nge	Mer	Sec	Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	Е	W	1	SW/NW		3.6 Supplementa	ıl
						SE/NW		7.9 Supplementa	al .
		,							
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	:99				T	er Application	4 6		AUG 0 5 2005 WATER RESOURCES DE

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 33228

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Town	ship	Rar	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	NE/SW		0.3
						NW/SW		0.8
		- 1				SW/SW	-	3.7
				1		SE/SW		6.7
							-	

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:				

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WATER RESOURCES DEPT SALEM, OREGON

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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

	51487	39616
✓ Certificated Right	Certificate Number	Permit Number or Decree Name
Adjudicated, Un-certificated		
☐ Right	Name of Decree	Page Number
Permit for which Proof has		
been Approved	Permit Number	Date Claim of Beneficial Use Submitted
Transferred Right for which		
Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
Permit for which an	B VAY 1	G. Alia Da GD.
Amendment is Requested	Permit Number	Completion Date of Permit
Name on Permit, Certificate, or Dec	cree: Pine Hollow Coopera	tive, Inc.
Country Wasco	Authorized Use(s): S	Supplemental Irrigation
County: Wasco	Audiorized Ose(s).	ouppromonant in igation
list those priority dates:  Source(s) of Water Listed on Right:		on and places of use. In addition,  Hollow Reservoir
Source(s) of water Listed on Right	Times with Cleak and Fille	TIOHO A VESELAOH
Tributary to: White River		
Are there other Sources listed of If "Yes", any information provies each of the proposed points of a addition, list those other source.	ided on <mark>Page 4 must</mark> identij liversion/appropriation and	fy which source is associated with
Are there Other Water Rights or p	permits associated with this	land? Yes No
If "Yes", what are the Permit of Pursuant to ORS 540.510, any r transfer must be included in the	right that is supplemental to	Permits 6734, 15165, 22633, 27390, 33228 o a primary right proposed for
Remarks:		
		DESE
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		WATER RESOL

Certificate	Number or	other ider	tifying number	r from Page 3:	Permit 39616
-------------	-----------	------------	----------------	----------------	--------------

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

#### Location of Existing Authorized Place of Use to be Changed:

Town	iship	Rar	nge	Mer	Sec	% % Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	E	W	1	SW/NW		3.	6
						SE/NW	•••	7.	9
					_				
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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 39616

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Tow	nship	Rai	nge	Mer	Sec	34 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	NE/SW		0.3
						NW/SW	-	0.8
						SW/SW		3.7
						SE/SW		6.7

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:			

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#### 6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for other water district?  Yes  No	or transfer located within or	r served by an irriga	tion or
Will any of the water rights be located after the proposed transfer?  Yes		gation or other wate	r district
Is water for any of the rights supplied ustored water with a Federal agency?		ment or other contra	act for
If "Yes", for any of the above, list the n	ame and mailing address	of the district and/o	r agency:
Badger Improvement District	Pine Hollow	1 2	8
80309 Ross Road	80309 Ross 1		
Wamic, OR 97063	Wamic, OR		
List the name and mailing address of al corporation, and tribal governments with Wasco County			y, municipal
		21	
7. I	LAND OWNERSHIP	_	
If "No", provide the following information notarized statement granting conservations of Current Landowner(s):Address:80455 Wamic Market Roa	Durmac Ranches, In	h of the landowners.	
Tygh Valley	OR	97063	
City	State	Zip	
Does the applicant own the lands TO w  If "No", provide the following infor	rmation:	sferred? Yes	□No
Names of Receiving Landowner(s):	First	Last	
Address:			
City Check one of the following:	State	Zip	
☐ The receiving landowner will be res final order is issued. All notices and			
☑ The applicant will remain responsible correspondence should continue to			RECEIVED
1.9990	Transfer Application/6	- 1	AUG 0 5 2005
, , , , , ,			WATER RESOURCES DEPT SALEM, OREGON

#### 8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Enclosed Not Required if all of the following are met: In EFU zone or irrigation district, Change in place of use only, No structural changes needed, including diversion works, delivery facilities, other structures, and Irrigation only. Water Well Reports/Well Logs: The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached. Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached. The application is for a surface water transfer and water well reports are not required.  Tees: Amount enclosed: \$ See the Department's Fee Schedule at
Not Required if all of the following are met:  • In EFU zone or irrigation district, • Change in place of use only, • No structural changes needed, including diversion works, delivery facilities, other structures, and • Irrigation only.  Vater Well Reports/Well Logs:  The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.  Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.  The application is for a surface water transfer and water well reports are not required.  Tees:  Amount enclosed: \$ See the Department's Fee Schedule at
The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.  Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.  The application is for a surface water transfer and water well reports are not required.  Tees:  Amount enclosed: \$
The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.  Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.  The application is for a surface water transfer and water well reports are not required.  Tees:  Amount enclosed: \$
water well reports are not required.  Fees:  Amount enclosed: \$
Gees:  Amount enclosed: \$ See the Department's Fee Schedule at
www.wrd.state.or.us or call (503) 986-0900.
TURES
transfer and after issuance of a draft preliminary red by a title company within the last three months adowner or entity to which the water right has been ship information is not required. ication is true and accurate.
Ellar
date
date
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Transfer Application/7

Included a check payable to the Oregon Water Resources Department for the appropri

AUG 0 5 2005

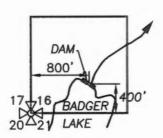
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994	65101-S					2/254.5	99055.5	
or Oak	5261-62-h	6261-12-01	h161-3-8	1791-05 5	1961-22- 5	8761-52-6	_5261-1-5	
1:1	Aury Agyt	White River Badger Creek	Boldger	White River Back	White Rims	Tygh Crut Rine Hollow	White Rive	
2 ruez	Badzur	Threemile CR. Badger Gate	Highland A.F.a.	Badyer Creek	8 dgr buch	Borlow Great	Threshole CR	5221
351	VI	517 70	VI.	YI	つエ	J Z K	SI	
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### WASCO COUNTY, OREGON

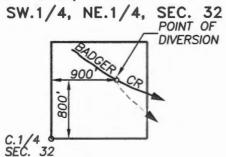
BADGER CREEK TWP. 3 S., RANGE 11 E. W.M. NE.1/4, SW.1/4, SEC. 29

> C.1/4 SEC. 29 POINT OF DIVERSION C-46531

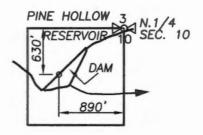
BADGER LAKE RESERVOIR TWP. 3 S., RANGE 10 E. W.M. SW.1/4, SW.1/4, SEC. 16



BADGER CREEK
(SOUTH FORK BADGER CREEK)
TWP. 3 S., RANGE 11 E. W.M.
SW.1/4, NE.1/4, SEC. 32

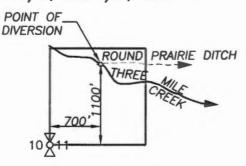


PINE HOLLOW RESERVOIR TWP. 4 S., RANGE 12 E. W.M. NE.1/4, NW.1/4, SEC. 10



7-9990

THREE MILE CREEK
TWP. 4 S., RANGE 11 E. W.M.
SW.1/4, NW.1/4, SEC. 11



## WATER RIGHT POINT OF DIVERSIONS RECEIVED

SCALE: 1'= 1320'

AUG 0 5 2005

WATER RESOURCES DEF SALEM, OREGON

APPLICATION No. T. 9990

PERMIT No.

IN THE NAME OF:

McALLISTER RANCH

DATE: JULY 7, 2005

Larry J. Toll
November 19, 1987
OF OREGON

EXPIRES: 06/30/06

### TENNESON ENGINEERING CORP.

CONSULTING ENGINEERS
409 LINCOLN STREET
THE DALLES, OREGON 97058
541-296-9177 FAX 541-296-6657



#### NOTE:

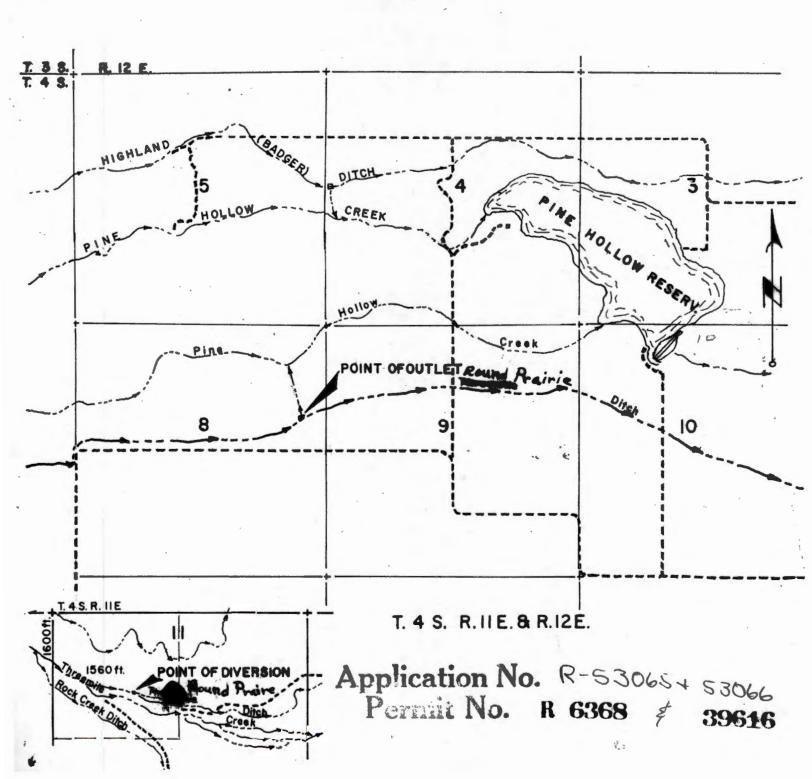
"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

W.O. #11572wr2

# PINE HULLUW COUPERATIVE INC.

ROUTE | BOX 94 TYGH VALLEY, ORE. RECEIVED

MAY 1 1975. STATE ENGINEER SALEM, OREGON



STATE OF OREGON

#### COUNTY OF WASCO

#### CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT 80309 ROSS ROAD 97063 TYGH VALLEY, OR

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:

SW4 NE4, SECTION 32, T 3 S, R 11 E, WM; HIGHLAND DITCH -N 65° 21' W, 1938.2 FEET FROM THE E¼ 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: 4.50 ACRES

SWYSEY

TOWNSHIP 3 SOUTH RANGE 12 EAST, W.M.

16.50 ACRES

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

Certificate Number 80637

```
NE¼ NE¼ 0.30 ACRE
         NW4 NE4
                         8.90 ACRES
         SW4 NE4 6.00 ACRES
                SECTION 12
TOWNSHIP 4 SOUTH, RANGE 11 EAST, W.M.
         SE4 NE4
                         8.90 ACRES
         SW14 NW14
                          7.65 ACRES
         NE4 SE4
                         0.05 ACRE
         NW4 SE4 5.70 ACRES
         SW4 SE4
                        8.00 ACRES
         SE4 SE4 1.20 ACRES
                 SECTION 1
         SE¼ NE¼ 0.25 ACRE

      SE14 NW14
      27.30 ACRES

      NE14 SW14
      8.40 ACRES

      SW14 SW14
      3.60 ACRES

         NE4 SE4 13.10 ACRES
               SECTION 2
         SW4 NE4 10.50 ACRES
         NE¼ SE¼ 16.00 ACRES
SE¼ SE¼ 2.00 ACRES
                 SECTION 3
         NEW NEW 13.50 ACRES
         NW4 NE4 3.50 ACRES
          SECTION 5
         NW4 NW4
                        3.50 ACRES
       SW4 NW4 7.20 ACRES
SE4 NW4 2.30 ACRES
NE4 SW4 12.00 ACRES
          SECTION 7
        SEL SWA THE MICE 80 ACRES
NEW SEL 2,00 ACRES
NW4 SEL 20.80 ACRES
                       8.00 ACRES
        NE'4 NW'4
                SECTION 9

      NW4 NE4
      1.60 ACRES

      NE4 NW4
      7.90 ACRES

      NW4 NW4
      4.20 ACRES
```

NW4 SW4 10.10 ACRES SW4 SW4 7.50 ACRES SECTION 11 

 NW4 NE4
 13.00 ACRES

 SW4 NE4
 4.20 ACRES

 NW4 NW4
 18.00 ACRES

 SW4 NW4
 5.50 ACRES

 SECTION 12

NE% NW% 4.00 ACRES NW% NW% 12.50 ACRES SECTION 15

NW4 SW4 2.00 ACRES SECTION 16

NE% NW% 4.20 ACRES NE% SE% 11.00 ACRES SECTION 17

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

SW4 SW4 11.20 ACRES SE4 SW4 3.00 ACRES SECTION 5

 SW4 NW4
 4.60 ACRES

 NE4 SW4
 4.00 ACRES

 NW4 SW4
 4.60 ACRES

 SW4 SE4
 1.80 ACRES

 SE4 SE4
 8.30 ACRES

 SECTION 6

NEW NEW 3.00 ACRES SEW NEW 11.00 ACRES SECTION 7

NW4 SW4 3.50 ACRES
SW4 SW4 1.10 ACRES
SECTION 9

TOWNSHIP 4 SOUTH, RANGE 12 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 Cleary, Director Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify. That

BADGER IMPROVEMENT DISTRICT

, State of Oregon, 97063 of Wamic Rural Station, Wamic proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Badger Lake Reservoir constructed under Permit No. R-773

for the purpose of a tributary of White River irrigation of 482.3 acres and supplemental irrigation of 654.72 acres, domestic and stock use and that said right to the use of said waters has been perfected in under Permit No. 15165

accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 21, 1929

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 24.0 cubic feet per second, being 12.06 c.f.s. from Badger Creek for irrigation 11.80 c.f.s. from Badger Lake Reservoir for supplemental irrigation; and 0.14 c.f.s. from Badger Creek for domestic and stock use.
or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW2 NE4, Section 32, T. 3 S., R. 11 E., W. M.

The amount of water used for irrigation, together with the amount secured under any other a diversion of not to exceed one acre foot per acre during any 30 day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, that the rate of flow shall not exceed one-fortieth of a second foot per acre up to July 1st of each year and thereafter not to exceed one-eightieth of a second foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right

is appurtenant, is as follows:

SEE NEXT PAGE

## PRIMARY-BADGER CREEK

4.0 acres SW4 SW4 Section 33 T. 3 S., R. 12 E., W.	м.	8.0 acres SW4 SW4 Section 8
15.0 acres SE½ SE½ Section 2 T. 4 S., R. 11 E., W.	м.	5.0 acres NW4 NW4 7.0 acres SW4 SE4 6.5 acres SE4 SE4 Section 9
15.0 acres SW½ NE¼ 8.6 acres SW½ NW½ 15.0 acres SE¼ NW½ 20.0 acres SW½ SE½ 30.0 acres SE¼ SE½		5.3 acres SW½ NE½ 7.3 acres NE½ SE½ 10.6 acres NW½ SE½ Section 10
Section 1  34.0 acres SW4 NW4 17.7 acres SE4 SW4		10.0 acres NE¼ NW¼ 6.0 acres SE¼ SW¼ Section 11
16.9 acres NE¼ SE¼ Section 2		12.0 acres NW4 NE4 4.0 acres NE4 NW4 Section 13
5.0 acres NW4 NE% 20.0 acres SW4 NE% 8.0 acres SE% NE% 15.7 acres NE% NW% 4.0 acres SW4 NW%	T 4213 APAU 0/1	2.5 acres NE½ NE½ Section 18 T. 4 S., R. 12 E., W. M.
8.0 acres NE¼ SE¼ 6.0 acres NE¼ SE¼ 5.0 acres SE¼ SE¼ Section 3		10.0 acres NE4 SE4 10.0 acres NW4 SE4 10.0 acres SE4 SE4 Section 6
2.5 acres SW4 NW4 15.0 acres SE4 NW4 11.7 acres SW4 SW4 Section 4		14.2 acres NE¼ NE¼ 26.8 acres NE¼ NW¼ Section 7
15.0 acres SE¼ NW¼ Section 5		10.0 acres NW4 NW4 5.0 acres SE4 NW4 Section 8
20.0 acres SE¼ SE¼ Section 7		T. 4 S., R. 13 E., W. M.

## SUPPLEMENTAL-BADGER LAKE RESERVOIR

4.00 acres SW¼ SW¼ 14.14 acres SE¼ SE¼	5.00 acres NW4 NE4 27.26 acres SW4 NE4
Section 33	
T. 3 S., R. 12 E., W. M.	15.00 acres NE NW
1. J J., R. 12 E., W. M.	4.00 acres SW4 NW4 T-4313 A POU . 11
	18.14 acres NE¼ SE¼
10.38 acres SE¼ SE¼	6.00 acres NW SE
Section 2	7.00 acres SE½ SE½
	Section 3
8.00 acres NW1 NE1	Section 3
Section 12	44 70
	11.72 acres SE¼ NW¼
T. 4 S., R. 11 E., W. M.	Section 4
As an income and the same and t	
15.00 acres SW4 NE4	13.00 acres NEW NEW
11.52 acres SW4 NW4	10.38 acres SE4 NW4
15.00 acres SE4 NW4	Section 5
· 5.35 acres NW4 SE4	Section 5
28.00 acres SW4 SE4	7 00 0111 1111
	7.00 acres SW4 NW4
31.00 acres SE¼ SE¾	2.00 acres SE¼ NW¼
Section 1	8.95 acres NE% SW%
	16.22 acres SE's SE's
25.80 acres SW4 NW4	Section 7
14.14 acres SE's SW's	36661011 /
20.76 acres NE% SE%	0 00 010 010
Section 2	8.00 acres SW4 SW4
Section 2	12.45 acres NW4 SE4
· ·	Section 8

4.00 acres NW4 NW4 7.00 acres SW4 SE4 6.50 acres SE% SE% Section 9 5.33 acres SW4 NE4 7.00 acres NE% SE% 10.00 acres NW% SE% Section 10 17.00 acres NEW NWW 10.00 acres NW4 SW4 3.00 acres SW4 SW4 Section 11 15.10 acres SW4 NE4 14.76 acres NW4 NW4 6.00 acres SW4 NW4 7.50 acres SE% NE% 2.50 acres NE% SE% Section 12 8.00 acres NW1 NE1 4.00 acres NE% NW% Section 13

7.26 acres NW½ NW½
Section 15

1.70 acres NE½ NE½
Section 18

T. 4 S., R. 12 E., W. M.

11.00 acres SW½ SW½
3.00 acres SE½ SW½
Section 5

10.00 acres NE½ SE½
10.00 acres NW½ SE½
20.00 acres SE½ SE½
Section 6

9.40 acres NE½ NE½
26.80 acres NE½ NW½
Section 7

20.00 acres NW¼ NW¼ 4.00 acres SE¼ NW¼ 28.66 acres SW¼ NE¼ Section 8 T. 4 S., R. 13 E., W. M.

This certificate is issued to confirm a change in place of use as well as to describe that portion of the water right confirmed by the prior certificate recorded on page 20243, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 7, 1969, approving transfer application No. D-136.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date.

September 15, 1978

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 39 , page 46532

COUNTY OF WASCO

## CERTIFICATE OF WATER RIGHT

This is to Certify, That P. A. MORROW . State of , has made proof to the eatisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of BADGER. CREEK White River for the purpose of Irrigation a tributary of under Permit No. 6754 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 27, 1925; that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.15 cubic foot per second: The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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 in case of rotation. A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: 5 serves in SWHMT, Section 1, 5 serves in SRHMT, Section 4, 7, 4 S. R. 12 R. V. M., in Vasco County, Oregon, being a total of 10 agree. The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described. . Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited. . WITNESS the signature of the State Engineer, affixed this , 194 June

Recorded in State Record of Water Right Certificates, Volume 7 , page7223

State Engineer.

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC. & DEPARTMENT OF FISH & WILDLIFE

of Route 1, Box 27, Tygh Valley , State of Oregon 97063 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Pine Hollow Reservoir constructed under Permit R-5250

a tributary of White River for the purpose of irrigation of 0.6 acre, supplemental irrigation of 3,434.9 acres and recreation

under Permit No. 33228 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 23, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only for irrigation and 15.0 cubic feet per second from Badger Creek for recreation

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SW 1/4, Section 29, T3S, R1LE, WM; Badger Creek - 1,290 feet South and 550 feet West from C 1/4 Corner, Section 29; NE 1/4 NW 1/4, Section 10, T4S, R12E, WM; Pine Hollow Reservoir - 700 feet South and 1,930 feet East from NW Corner, Section 10

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

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

\*lands use water diverted for the lower lands entitled thereto and replace it in a like amount from the reservoir authorized under Permit R-5250.

SEE NEXT PAGE

	page two
Acres of land to receive benefit by	a 17.2 acres NE 1/4 NW 1/4
water exchange	24.8 acres NW 1/4 NW 1/4
0.8 acre NE 1/4 NE 1/4	Section 15
6.0 acres NW 1/4 NE 1/4	30.8 acres NE 1/4 NE 1/4 32.0 acres NW 1/4 NE 1/4 1.0 acre NE 1/4 NW 1/4
Section 12	32.0 acres NW 1/4 NE 1/4
Township 4 South, Range 11 East,	WM 1.0 acre NE 1/4 NW 1/4
	Section 16
22.4 acres NW 1/4 NE 1/4 38.8 acres SW 1/4 NE 1/4	6.4 acres NW 1/4 NE 1/4
38.8 acres NE 1/4 NW 1/4	7.4 acres NE 1/4 NW 1/4
27:2 00103 1111 1/4 1111 1/4	12.0 acres NW 1/4 NW 1/4
Section 3	Section 17
14.4 acres NE 1/4 NE 1/4	14.8 acres NE 1/4 NE 1/4 2.8 acres NW 1/4 NE 1/4 Section 18 Township 4 South, Range 12 East, WM
26.4 acres NW 1/4 NE 1/4	2.8 acres NW 1/4 NE 1/4
14.3 acres NE 1/4 NW 1/4	Section 18
10.4 acres SW 1/4 NW 1/4	Township 4 South, Range 12 East, WM
11.7 acres SW 1/4 SW 1/4	
10.4 acres SE 1/4 SW 1/4	4.0 acres SW 1/4 SW 1/4
Section 4	4.5 acres SW 1/4 SE 1/4
20.0	7.9 acres SE 1/4 SE 1/4
10.8 acres NE 1/4 NE 1/4	Section 33
1.9 acres NE 1/4 NW 1/4	3.6 acres SW 1/4 SW 1/4
0.2 acre NW 1/4 NW 1/4	0.2 acre SE 1/4 SW 1/4
2.9 acre SW 1/4 NW 1/4	Section 34
16.3 acres SE 1/4 NW 1/4	Township 3 South, Range 12 East, WM;
2.9 acres NW 1/4 SW 1/4	4.0 acres SW 1/4 SW 1/4 4.5 acres SW 1/4 SE 1/4 7.9 acres SE 1/4 SE 1/4 Section 33  3.6 acres SW 1/4 SW 1/4 0.2 acre SE 1/4 SW 1/4 Section 34 Township 3 South, Range 12 East, WM; Acres of land direct from Pine Hollow
3.8 acres SE 1/4 SW 1/4	2.6 acres NE 1/4 NE 1/4
Section 5	Reservoir  2.6 acres NE 1/4 NE 1/4 16.2 acres NW 1/4 NE 1/4 37.6 acres SW 1/4 NE 1/4 31.0 acres SE 1/4 NE 1/4 9.4 acres NE 1/4 NW 1/4 14.7 acres SW 1/4 NW 1/4 22.8 acres SE 1/4 SW 1/4 8.0 acres NE 1/4 SW 1/4 0.5 acre SW 1/4 SW 1/4 24.8 acres SE 1/4 SW 1/4 37.6 acres NW 1/4 SE 1/4 37.6 acres SW 1/4 SE 1/4 39.6 acres SE 1/4 SE 1/4 40.0 acres SE 1/4 SE 1/4 Section 1
31.05 acres NW 1/4 NW 1/4	31.0 acres SE 1/4 NE 1/4
10.4 acres SW 1/4 NW 1/4	9.4 acres NE 1/4 NW 1/4
1.4 acres SE 1/4 NW 1/4	14.7 acres SW 1/4 NW 1/4
12.0 acres NE 1/4 SW 1/4	37.2 acres SE 1/4 NW 1/4
7.1 acres NW 1/4 SE 1/4	8.0 acres NW 1/4 SW 1/4
7.2 acres SW 1/4 SE 1/4	0.5 acre SW 1/4 SW 1/4
38.8 acres SE 1/4 SE 1/4	24.8 acres SE 1/4 SW 1/4
Section 7	39.4 acres NE 1/4 SE 1/4
16.4 acres NE 1/4 SW 1/4	39.6 acres SW 1/4 SE 1/4
15.2 acres NW 1/4 SW 1/4	40.0 acres SE 1/4 SE 1/4
	Section 1
19.8 acres SE 1/4 SW 1/4 32.0 acres NE 1/4 SE 1/4	1.0 acre SE 1/4 NE 1/4
24.8 acres NW 1/4 SE 1/4	2.0 acres NE 1/4 NW 1/4
15.7 acres SW 1/4 SE 1/4	12.4 acres NW 1/4 NW 1/4
0.5 acre SE 1/4 SE 1/4	35.6 acres SW 1/4 NW 1/4
Section 8	34.4 acres SE 1/4 NW 1/4 39.1 acres NE 1/4 SW 1/4
23.7 acres SW 1/4 NE 1/4	27.2 acres NW 1/4 SW 1/4
35.5 acres NE 1/4 NW 1/4	25.5 acres SW 1/4 SW 1/4
30.5 acres NW 1/4 NW 1/4	17.2 acres SE 1/4 SW 1/4
8.2 acres SW 1/4 NW 1/4 15.1 acres SE 1/4 NW 1/4	39.4 acres NE 1/4 SE 1/4 38.9 acres NW 1/4 SE 1/4
39.1 acres NE 1/4 SW 1/4	13.7 acres SW 1/4 SE 1/4
24.4 acres NW 1/4 SW 1/4	38.6 acres SE 1/4 SE 1/4
34.7 acres NW 1/4 SE 1/4	Section 2
34.8 acres SW 1/4 SE 1/4 35.2 acres SE 1/4 SE 1/4	36.2 acres SE 1/4 NE 1/4
Section 9	36.6 acres NE 1/4 SE 1/4
	27.8 acres NW 1/4 SE 1/4
39.7 acres SW 1/4 NE 1/4	8.8 acres SW 1/4 SE 1/4
20.2 acres SE 1/4 NE 1/4 40.6 acres NE 1/4 SE 1/4	28.8 acres SE 1/4 SE 1/4
40.6 acres NW 1/4 SE 1/4	Section 3
Section 10	18.2 acres NE 1/4 NE 1/4
	3.2 acres NW 1/4 NE 1/4

Section 10

17.8 acres NE 1/4 NE 1/4 23.4 acres NW 1/4 NE 1/4 2.8 acres SW 1/4 NE 1/4 26.8 acres SE 1/4 NE 1/4 37.6 acres NE 1/4 NW 1/4 14.4 acres NW 1/4 NW 1/4 21.2 acres SW 1/4 NW 1/4 19.0 acres SE 1/4 NW 1/4 31.6 acres NE 1/4 SW 1/4 40.6 acres NW 1/4 SW 1/4 24.0 acres SW 1/4 SW 1/4 22.8 acres SE 1/4 SW 1/4 18.8 acres NE 1/4 SE 1/4 17.0 acres NW 1/4 SE 1/4 8.3 acres SW 1/4 SE 1/4 12.8 acres SE 1/4 SE 1/4 Section 11

38.5 acres NE 1/4 NE 1/4
36.0 acres NW 1/4 NE 1/4
24.8 acres SW 1/4 NE 1/4
13.5 acres SE 1/4 NE 1/4
12.6 acres NE 1/4 NW 1/4
38.7 acres NW 1/4 NW 1/4
31.6 acres SW 1/4 NW 1/4
21.8 acres SE 1/4 NW 1/4
32.8 acres SW 1/4 SW 1/4
37.2 acres SW 1/4 SW 1/4
20.4 acres SW 1/4 SE 1/4
1.8 acres SE 1/4 SE 1/4
Section 12

31.2 acres NE 1/4 NE 1/4
32.8 acres NW 1/4 NE 1/4
37.6 acres NE 1/4 NW 1/4
28.0 acres NW 1/4 NW 1/4
Section 13
Township 4 South, Range 12 East, WM

RECREATION S 1/2 NW 1/4 SW 1/4 SW 1/4 SE 1/4 Section 3 SE 1/4 SE 1/4 S 1/2 NE 1/4 N 1/2 SE 1/4 Section 4 NW 1/4 NE 1/4 N 1/2 NW 1/4 Section 10 Township 4 South, Range 12 East, WM

12.4 acres NE 1/4 NE 1/4 Section 14 Township 4 South, Range 12 East, WM

9.2 acres SW 1/4 NW 1/4
1.7 acres SE 1/4 NW 1/4
34.5 acres NE 1/4 SW 1/4
37.9 acres NW 1/4 SW 1/4
38.0 acres SW 1/4 SW 1/4
37.6 acres SE 1/4 SW 1/4
28.8 acres NE 1/4 SE 1/4
38.9 acres NW 1/4 SE 1/4
40.0 acres SW 1/4 SE 1/4
39.2 acres SE 1/4 SE 1/4
Section 6

39.4 acres NE 1/4 NE 1/4
39.7 acres NW 1/4 NE 1/4
37.3 acres SW 1/4 NE 1/4
33.3 acres SE 1/4 NE 1/4
37.3 acres NE 1/4 NW 1/4
28.1 acres NW 1/4 NW 1/4
24.3 acres SE 1/4 NW 1/4
16.0 acres SW 1/4 SW 1/4
4.4 acres SE 1/4 SW 1/4
1.05 acres NW 1/4 SE 1/4
Section 7

0.2 acre NW 1/4 NW 1/4 Section 18 Township 4 South, Range 13 East, WM

PRIMARY IRRIGATION

0.6 acres SE 1/4 NE 1/4 Section 12 Township 4 South, Range 12 East, WM

page four

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

Under Exchange

0.9 acre NE 1/4 NW 1/4
0.1 acre NW 1/4 NW 1/4
Section 4
Township 4 South, Range 12 East, WM

Direct from Reservoir

21.1 acres SE 1/4 NE 1/4
2.5 acres NE 1/4 SE 1/4
Section 12
Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4 Section 7 Township 4 South, Range 13 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed this date. February 24, 1983

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51486

6658A

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC.

of Route 1, Box 27, Tygh Valley , State of Oregon 97063 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Three Mile Creek and Pine Hollow Reservoir, constructed under Permit R-6368

a tributary of White River supplemental irrigation of 3,435.5 acres

for the purpose of

under Permit No. 39616 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 1, 1975

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4, SW

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

SEE NEXT PAGE

```
17.2 acres NE 1/4 NW 1/4
Acres of land to receive benefit by a
                                                24.8 acres NW 1/4 NW 1/4
water exchange
                                                        Section 15
        0.8 acre NE 1/4 NE 1/4
                                              30.8 acres NE 1/4 NE 1/4
32.0 acres NW 1/4 NE 1/4
        6.0 acres NW 1/4 NE 1/4
               Section 12
                                               1.0 acre NE 1/4 NW 1/4
   Township 4 South, Range 11 East, WM
                                                        Section 16
       22.4 acres NW 1/4 NE 1/4
                                               6.4 acres NW 1/4 NE 1/4
       38.8 acres SW 1/4 NE 1/4
       38.8 acres NE 1/4 NW 1/4
                                             7.4 acres NE 1/7 NW 1/4
12.0 acres NW 1/4 NW 1/4
                                                 7.4 acres NE 1/4 NW 1/4
       23.2 acres NW 1/4 NW 1/4
                                                         Section 17
                Section 3
                                              14.8 acres NE 1/4 NE 1/4
       14.4 acres NE 1/4 NE 1/4
                                            2.8 acres NW 1/4 NE 1/4
       26.4 acres NW 1/4 NE 1/4
       14.3 acres NE 1/4 NW 1/4
                                                         Section 18
                                          Township 4 South, Range 12 East, WM
       10.4 acres SW 1/4 NW 1/4
       25.2 acres SE 1/4 NW 1/4
       11.7 acres SW 1/4 SW 1/4
                                                 4.0 acres SW 1/4 SW 1/4
       10.4 acres SE 1/4 SW 1/4
                                              4.5 acres SW 1/4 SE 1/4
                Section 4
                                                 7.9 acres SE 1/4 SE 1/4
                                                         Section 33
       10.8 acres NE 1/4 NE 1/4
        3.4 acres NW 1/4 NE 1/4
                                                 3.6 acres SW 1/4 SW 1/4
                                                 0.2 acre SE 1/4 SW 1/4
        1.9 acres NE 1/4 NW 1/4
        0.2 acre NW 1/4 NW 1/4
                                                       Section 34
                                      Township 3 South, Range 12 East, WM;
        2.9 acre SW 1/4 NW 1/4
       16.3 acres SE 1/4 NW 1/4
                                   Acres of land direct from Pine Hollow
Reservoir
        3.6 acres NE 1/4 SW 1/4
        2.9 acres NW 1/4 SW 1/4
       13.2 acres SW 1/4 SW 1/4
                                                 2.6 acres NE 1/4 NE 1/4
        3.8 acres SE 1/4 SW 1/4
                                                16.2 acres NW 1/4 NE 1/4
                Section 5
                                                37.6 acres SW 1/4 NE 1/4
                                               31.0 acres SE 1/4 NE 1/4
                                                9.4 acres NE 1/4 NW 1/4
       31.05 acres NW 1/4 NW 1/4
                                              14.7 acres SW 1/4 NW 1/4
37.2 acres SE 1/4 NW 1/4
       10.4 acres SW 1/4 NW 1/4
        1.4 acres SE 1/4 NW 1/4
       12.0 acres NE 1/4 SW 1/4
                                               22.8 acres NE 1/4 SW 1/4
                                              8.0 acres NW 1/4 SW 1/4
0.5 acre SW 1/4 SW 1/4
       13.9 acres NE 1/4 SE 1/4
        7.1 acres NW 1/4 SE 1/4
7.2 acres SW 1/4 SE 1/4
                                             24.8 acres SE 1/4 SW 1/4
                                               39.4 acres NE 1/4 SE 1/4
       38.8 acres SE 1/4 SE 1/4
                Section 7
                                               37.6 acres NW 1/4 SE 1/4
                                               39.6 acres SW 1/4 SE 1/4
40.0 acres SE 1/4 SE 1/4
       16.4 acres NE 1/4 SW 1/4
       15.2 acres NW 1/4 SW 1/4
                                                         Section 1
       38.2 acres SW 1/4 SW 1/4
                                              1.0 acre SE 1/4 NE 1/4
2.0 acres NE 1/4 NW 1/4
       19.8 acres SE 1/4 SW 1/4
       32.0 acres NE 1/4 SE 1/4
                                              12.4 acres NW 1/4 NW 1/4
       24.8 acres NW 1/4 SE 1/4
       15.7 acres SW 1/4 SE 1/4
                                             35.6 acres SW 1/4 NW 1/4
        0.5 acre SE 1/4 SE 1/4
                                                34.4 acres SE 1/4 NW 1/4
                                                39.1 acres NE 1/4 SW 1/4
                Section 8
                                               25.5 acres SW 1/4 SW 1/4
                                               27.2 acres NW 1/4 SW 1/4
       23.7 acres SW 1/4 NE 1/4
       35.5 acres NE 1/4 NW 1/4
                                                17.2 acres SE 1/4 SW 1/4
       30.5 acres NW 1/4 NW 1/4
                                               39.4 acres NE 1/4 SE 1/4
        8.2 acres SW 1/4 NW 1/4
                                               38.9 acres NW 1/4 SE 1/4
                                                13.7 acres SW 1/4 SE 1/4
       15.1 acres SE 1/4 NW 1/4
       39.1 acres NE 1/4 SW 1/4
                                                38.6 acres SE 1/4 SE 1/4
                                                      Section 2
       24.4 acres NW 1/4 SW 1/4
       34.7 acres NW 1/4 SE 1/4
                                                36.2 acres SE 1/4 NE 1/4
36.6 acres NE 1/4 SE 1/4
       34.8 acres SW 1/4 SE 1/4
       35.2 acres SE 1/4 SE 1/4
                Section 9
                                               27.8 acres NW 1/4 SE 1/4
                                                 8.8 acres SW 1/4 SE 1/4
       39.7 acres SW 1/4 NE 1/4
                                                28.8 acres SE 1/4 SE 1/4
       20.2 acres SE 1/4 NE 1/4
                                                         Section 3
       40.6 acres NE 1/4 SE 1/4
       40.6 acres NW 1/4 SE 1/4
                                               18.2 acres NE 1/4 NE 1/4
                Section 10
                                                 3.2 acres NW 1/4 NE 1/4
                                                         Section 10
```

17.8 acres NE 1/4 NE 1/4 23.4 acres NW 1/4 NE 1/4	12.4 acres NE 1/4 NE 1/4 Section 14
2.8 acres SW 1/4 NE 1/4	Township 4 South, Range 12 East, WM
26.8 acres SE 1/4 NE 1/4	
37.6 acres NE 1/4 NW 1/4	9.2 acres SW 1/4 NW 1/4
14.4 acres NW 1/4 NW 1/4	1.7 acres SE 1/4 NW 1/4
21.2 acres SW 1/4 NW 1/4	34.5 acres NE 1/4 SW 1/4
19.0 acres SE 1/4 NW 1/4	37.9 acres NW 1/4 SW 1/4
31.6 acres NE 1/4 SW 1/4	38.0 acres SW 1/4 SW 1/4
40.6 acres NW 1/4 SW 1/4	37.6 acres SE 1/4 SW 1/4
24.0 acres SW 1/4 SW 1/4	28.8 acres NE 1/4 SE 1/4
22.8 acres SE 1/4 SW 1/4	38.9 acres NW 1/4 SE 1/4
18.8 acres NE 1/4 SE 1/4	40.0 acres SW 1/4 SE 1/4
17.0 acres NW 1/4 SE 1/4	39.2 acres SE 1/4 SE 1/4
8.3 acres SW 1/4 SE 1/4	Section 6
12.8 acres SE 1/4 SE 1/4	00002011
Section 11	39.4 acres NE 1/4 NE 1/4
50002011 22	39.7 acres NW 1/4 NE 1/4
38.5 acres NE 1/4 NE 1/4	37.3 acres SW 1/4 NE 1/4
36.0 acres NW 1/4 NE 1/4	33.3 acres SE 1/4 NE 1/4
24.8 acres SW 1/4 NE 1/4	38.2 acres NE 1/4 NW 1/4
14.1 acres SE 1/4 NE 1/4	37.3 acres NW 1/4 NW 1/4
12.6 acres NE 1/4 NW 1/4	28.1 acres SW 1/4 NW 1/4
38.7 acres NW 1/4 NW 1/4	24.3 acres SE 1/4 NW 1/4
31.6 acres SW 1/4 NW 1/4	16.0 acres SW 1/4 SW 1/4
21.8 acres SE 1/4 NW 1/4	4.4 acres SE 1/4 SW 1/4
15.3 acres NW 1/4 SW 1/4	1.05 acres NW 1/4 SE 1/4
32.8 acres SW 1/4 SW 1/4	Section 7
37.2 acres SE 1/4 SW 1/4	00002011
20.4 acres SW 1/4 SE 1/4	0.2 acre NW 1/4 NW 1/4
1.8 acres SE 1/4 SE 1/4	Section 18
Section 12	Township 4 South, Range 13 East, WM
,	
31.2 acres NE 1/4 NE 1/4	
32.8 acres NW 1/4 NE 1/4	
37.6 acres NE 1/4 NW 1/4	
28.0 acres NW 1/4 NW 1/4	
Section 13	

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

## Under Exchange

0.9 acre NE 1/4 NW 1/4
0.1 acre NW 1/4 NW 1/4
Section 4
Township 4 South, Range 12 East, WM

## Direct from Reservoir

21.1 acres SE 1/4 NE 1/4
2.5 acres NE 1/4 SE 1/4
Section 12
Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4
Section 7
Township 4 South, Range 13 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. February 24, 1983

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51487 9649A

#### 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 a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 982.8 ACRES.

This right was perfected under Permit 22633. The date of priority is APRIL 12, 1941 for 11.96 cfs, and MARCH 20, 1951 for 12.61 cfs. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 24.57 CUBIC FOOT 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% SW%, SECTION 16, T 3 S, R 10 E, WM, and NE% SW%, SECTION 29, T 3 S, R 11 E, WM.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773.

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:

NE%	NEX	0.5	ACRE	NWX	NEX	8.0	ACRES
	SEC	FION 12		SEX		17.0	
T	OWNSHI	P 4 SOU	TH,	NE%	NWX	18.0	ACRES
RA	NGE 11	EAST,	W.M.	NW1/4		13.2	
				NW1	SEX	10.0	ACRES
NW1	NE1/4	16.2	ACRES			14.8	
SWX	NEX	19.0	ACRES			16.9	
NE%	NWX	0.6	ACRE		SE	ECTION 3	
SWX	NWX	1.2	ACRES				
SEX	NWX	22.0	ACRES	NE%	NEX	5.4	ACRES
SEX	SW1/4	19.6	ACRES	NW¥	NEW	25.4	ACRES
NEX	SEX	10.0	ACRES	NEX	NWX	6.0	ACRES
NWX	SEX	19.4	ACRES	SEW	SWY	7.8	ACRES
		TION 1		/-	SF	ECTION 4	11011110
					-	2011011 4	
SEX	NE%	1.0	ACRE	NE%	NWX	1.9	ACRES
NEX	SWX	7.0	ACRES			0.2	
		13.3				2.9	
SWX	SWX	21.9	ACRES			1.3	
		0.6	ACRES	NEY	SWY	3 6	ACRES
SWX	SEX	1.5	ACRES	NW1	SWX	2.9	ACRES
SEX	SEX	29.4	ACRES	SWX	SW1	13.2	ACRES
		TION 2		SE14	SW	3.8	ACRES
					SI	ECTION 5	

N	W¥	NW% 17.	ACRES	NE NW NW	X N	NE%	10.0	ACRES
S	WY	NW% 3.2	ACRES	NW	Y N	JE1/	25.0	ACRES
S	EW	NWW 0.9	ACRES		/4 4	SECT	TON 16	TICICED
N	EV	SE¥ 13 9	ACRES			0101	1014 10	
N	WI	SEW 7	ACDES	NTA	71/ N	TE1/	E 0	ACDEC
5	P1/	CEN O	ACRES	1/1/1	78 1	TATE /	5.0	ACRES
٥	27	SECTION 7	ACRES	1/W	74 1	WW%	7.0	ACRES
N	EX	SW% 8.8	ACRES	NE NW SE NW SW	¥ N	NE%	2.5	ACRES
N	W.	SW% 8.4	ACRES			SECT	ION 18	
5	WY	SW¥ 10.0	ACRES		TO	WNSHTE	A SOL	mu
C	EV	SW14 A	ACRES		DAN	CF 12	FACT	TAT BAT
0	WI	CEN 5	ACRES		ICATA	GE 12	EASI,	A4 . 1.1 .
	W M	CECTION O	ACRES	NE	11/ 0	77.77	2 4	A CDEC
		SECTION 6		NE	74 5	W%	7.4	ACRES
		3977		NW	1/4 5	5W%	20.0	ACRES
T/	EX	NW% 4.0	ACRES	SE	× 5	SW-%	11.5	ACRES
N	W1/4	NW% 4.0	ACRES	NW.	FX S	SE%	4.0	ACRES
S	EX	NW% 4.0	ACRES	SW	K S	SE%	8.6	ACRES
S	EX	SE% 10.:	ACRES			SECT	CION 5	
		SECTION 9						
				NE NW SE SW	1 S	sw¾	20.6	ACRES
N	EΥ	NE% 6.0	ACRES	NW	1 S	₩¥	10.0	ACRES
N	WX	NE% 3.3	2 ACRES	SE	1 S	SW¥	37.0	ACRES
S	EX	NE% 11.	7 ACRES	SW	14 S	SE%	20.0	ACRES
		SECTION 1	0	NW SW SE NW SE SE NE NW NE SW SE		SECT	CION 6	
I.	Έ¥	NE% 17.8 NE% 7.8 NE% 0. NE% 26.0 NW% 7. NW% 2.9 NW% 3.	3 ACRES	NW	K N	VE%	20.0	ACRES
N	W.	NE% 7.8	ACRES	SW	K N	VEX.	25.3	ACRES
S	WX	NE% 0.	7 ACRE	SE	X N	VE%	18.0	ACRES
5	EX	NE% 26.0	ACRES	NW	N K	W.	20.0	ACRES
N	EX	NW% 7.:	ACRES	SW	K N	WY.	8.5	ACRES
N	W.	NW% 2.5	ACRES	SE	W N	JW14	11.0	ACRES
5	EX	NW% 3.:	ACRES	SW	14 S	₩¥	5.0	ACRES
		SECTION 1	1	SF	14 9	W.	4.4	ACRES
				NE	14 0	SEV	8 0	ACRES
N	EV	NE% 20.0 NE% 5.0 NW% 5.0 SW% 2.3	ACRES	NW	11/ 0	SEY	2 8	ACRES
C	EV	NEW 5	ACRES	244	76 1	SECI	TON 7	ACICES
N.	E1	NWY 5	ACRES			راعظرا	TON	
-	FL	CMIN 3	ACDEC	NTE	11/ N	TTaT1/	20 0	N CDEC
-	LA	SECTION 1	ACRES	IN E	776 L	TI-TI-C	20.0	ACRES
		SECTION I	4	SM	76 1	WW.	22.8	ACRES
8	101/	MD1/ F	ACDEC	55	1 1×	W X	7.6	ACRES
T/	1574	NE% 5.0	ACRES	NE	1 S	SW%	5.0	ACRES
L	IW%	NEX 4.	ACRES			SECT	LION 8	
		SECTION 1	3					
		1W71 / -		NE SE	14 5	SW.X	6.2	ACRES
1	EX	NW% 8.4	ACRES	SE	X S	SW1/4	7.0	ACRES
		SECTION 1	5			SECT	CION 9	
					TO	WNSHIE	4 SOU	JTH,
					RAN	IGE 13	EAST,	W.M.

This certificate describes that portion of the water right confirmed by Certificate 46531, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 27, 1979, approving Transfer 4312, and entered proving Transfer Application 8215.

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.

WITNESS the signature of the Water Resources

Director, affixed \_\_\_\_\_\_JUN 041999 .

/S/ Tom Paul (frr) Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76222. T-8215.LHN

#### 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 a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 1488.5 ACRES and SUPPLEMENTAL IRRIGATION of 406.04

This right was perfected under Permit 27390. The date of priority is MACH 22, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 19.72 CUBIC FOOT PER SECOND, from direct flow, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

NE% SW%, SECTION 29, T 3 S, R 11 E, WM; BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER, SECTION 29; and

SW% SW%, SECTION 16, T 3 S, R 10 E, WM; BADGER LAKE - 400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER, SECTION 16.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773 and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amound secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein.

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:

#### PRIMARY

NEX	NEX	2.60	ACRES	NE'	NWX	2.00	ACRES	
SWX	NEX	3.60	ACRES	NWX	NWX	12.40	ACRES	
SEX	NEX	19.10	ACRES	SWX	NWX	1.60	ACRES	
NEX	NWX	8.80	ACRES	SEX	NWX	7.10	ACRES	
SEX	NW1	0.20	ACRE	NEX	SWX	23.70	ACRES	
NEX	SWX	21.90	ACRES	NWX	SWX	13.90	ACRES	
NWX	SWX	8.00	ACRES	NEX	SEX	8.80	ACRES	
SWX	SWX	0.50	ACRE	NWX	SEX	38.90	ACRES	
SEX	SWX	5.20	ACRES	SWX	SEX	12.20	ACRES	
NEX	SEX	29.35	ACRES	SEX	SEX	9.20	ACRES	
NW1	SEX	12.80	ACRES		SE	CTION 2		
SWX	SEX	11.60	ACRES					
SEX	SEX	8.80	ACRES					
	SE	CTION 1						

```
NE% NE% 26.20 ACRES
NW% NE% 16.80 ACRES
NE% NW% 13.60 ACRES
NW% NW% 3.00 ACRES
NW% NE%
               9.40 ACRES
SWX NEX
                8.30 ACRES
             11.20 ACRES
SEX NEX
NEX NWX
               5.10 ACRES
           10.00 ACRES
12.60 ACRES
11.80 ACRES
2.90 ACRES
4.90 ACRES
NWX NWX
                                                   SECTION 13
NEX SEX
NW% SE%
                                                NEX NEX
                                                              12.40 ACRES
SWX SEX
                                                      SECTION 14
SEX SEX
     SECTION 3
                                                 NE% NW%
                                                                 4.80 ACRES
                                                NE% NW% 4.80 ACRES
NE% NE%
               9.00 ACRES
                                                   SECTION 15
           1.00 ACRES
8.30 ACRES
7.90 ACRES
5.20 ACRES
2.60 ACRES
NW% NE%
NEX NWX
                                                NE% NE% 20.80 ACRES
NW% NE% 4.70 ACRES
NE% NW% 1.00 ACRES
SEX NWX
SEX SWX
                                                   SECTION 16
  SECTION 4
                                                NWX NEX
                                                                 1.40 ACRES
NW% NW% 9.85 ACRES
SW% SE% 7.20 ACRES
SE% SE% 9.80 ACRES
                                                NEW NWW 3.20 ACRES
NWW NWW 5.00 ACRES
                                                  SECTION 17
 SECTION 7
                                                NE% NE% 3.80 ACRES
NW% NE% 2.05 ACRES
NEX SWX
                7.60 ACRES
               6.80 ACRES
                                                 SECTION 18
TOWNSHIP 4 SOUTH,
NWX SWX
SWX SWX
               20.20 ACRES
           20.20 ACRES
13.00 ACRES
12.00 ACRES
10.70 ACRES
0.50 ACRES
                                                 RANGE 12 EAST, W.M.
SEX SWX
NEX SEX
SWX SEX
                                                NEX SWX
                                                                1.40 ACRES
                                                            12.80 ACRES
28.40 ACRES
24.70 ACRES
SEX SEX
                0.50 ACRES
                                                NWX SWX
   SECTION 8
                                                 SWX SWX
                                                SEX SWX
                                                            1.80 ACRES
3.80 ACRES
             39.10 ACRES
NEX SWX
                                                NWX SEX
           1.65 ACRES
26.80 ACRES
NWX SWX
                                                SWX SEX
                                                 SECTION 5
SWX SEX
SEX SEX 18.60 ACRES
    SECTION 9
                                                SWX NWX
                                                            4.60 ACRES
1.70 ACRES
9.90 ACRES
23.30 ACRES
38.00 ACRES
0.60 ACRE
18.80 ACRES
                                                               4.60 ACRES
                                                 SEX NWX
NEX NEX
               11.60 ACRES
                                                NEX SWX
SEX NEX
               3.90 ACRES
                                                NWX SWX
NEW SEW 28.70 ACRES
NWW SEW 30.00 ACRES
                                                 SWX SWX
                                                 SEX SWX
     SECTION 10
                                                 NEX SEX
                                                            28.90 ACRES
18.20 ACRES
14.90 ACRES
                                                 NW% SE%
              10.00 ACRES
NWY NEY
                                                 SWX SEX
              2.10 ACRES
1.10 ACRES
SW% NE%
                                                 SEX SEX
NWX NWX
                                                  SECTION 6
SWX NWX
            18.20 ACRES
            15.90 ACRES
                                                              20.20 ACRES
9.70 ACRES
SEX NWX
                                                NEX NEX
             3.35 ACRES
7.00 ACRES
NEX SWX
                                                NWY NEW
                                                            9.70 ACRES
12.00 ACRES
NWX SWX
                                                 SW% NE%
           16.50 ACRES
12.20 ACRES
3.45 ACRES
SWX SWX
                                                 SEX NEX
                                                               4.30 ACRES
                                                               11.40 ACRES
17.30 ACRES
SEX SWX
                                                 NEX NWX
                                                 NW% NW% 17.30 ACRES
SW% NW% 18.60 ACRES
SE% NW% 13.30 ACRES
SWX SEX
     SECTION 11
NEX NEX
               18.50 ACRES
                                                      SECTION 7
           23.00 ACRES
7.50 ACRES
1.60 ACRES
NW% NE%
                                                SW\ SW\ 11.00 ACRES
NE\ SE\ 6.00 ACRES
NW\ SE\ 2.80 ACRES
SEX NEX
NEX NWX
            1.60 ACRES
20.70 ACRES
12.80 ACRES
NWX NWX
SWX NWX
               12.80 ACRES
                                                       SECTION 7
SEX NWX
              16.20 ACRES
              13.70 ACRES
SEX SWX
SW% SE% 6.90 ACRES
SE% SE% 1.80 ACRES
```

SECTION 12

NEX NWX SEX NEX SEX NEX NEX NWX SWX	NW% 17.70 NW% 5.50 NW% 10.80 NW% 3.60 SW% 7.60 SW% 0.30 SE% 34.00 SE% 9.20 SECTION 8	ACRES ACRES ACRES ACRES ACRES ACRES ACRES ACRE ACRES ACRES ACRES ACRES ACRES	NEX NWX SWX SEX NEX NWX T	SW% SW% SW% SE% SE% SECTIO OWNSHIP 4 NGE 13 EA	7.00 9.80 1.90 1.70 4.80 6.40 N 9 SOUTST, W	ACRES ACRES ACRES ACRES ACRES ACRES
		• :	SW% SE% T RA	SWX SWX SECTION OWNSHIP 3 NGE 12 EA	3.60 0.20 1 34 SOUT	ACRES ACRE TH,
		SUPPLEMENTAL - RESE	RVOI	R		
SEX SWX NEX NEX NWX SWX SEX	NE% 11.90 NW% 10.58 SW% 0.90 SE% 0.05 SE% 0.45 SE% 0.30 SE% 0.20	ACRES ACRE ACRE ACRE ACRE ACRE ACRE ACRE ACRE	NWX SEX NEX NWX SWX SEX	NE% 1 NE% NW% NW% NW% NW% SECTION	2.30 1.00 6.00 3.24 1.30 2.80 V 12	ACRES ACRES ACRES ACRES ACRES
	SECTION 1		NW¥	NEW	4.00	ACRES
SWX SEX NEX	NW% 8.20 NW% 27.30 SW% 8.40	ACRES ACRES ACRES ACRES ACRES	NW¾	NW% 1 SECTION	4.00 V 13	ACRES
NE%	SWM 3.60 SEM 9.24 SECTION 2	ACRES ACRES	NE%	NW% NW% SECTION	4.00 5.24 V 15	ACRES ACRES
SWX SEX NEX	NE% 2.90 NE% 8.00 NW% 0.70	ACRES ACRES ACRES ACRES ACRES ACRES ACRES ACRES ACRES	NEX	NW% SECTION	4.20 V 17	ACRES
NE%	SEX 5.86 SECTION 3	ACRES	NE%	NE% SECTION	0.80 V 18	ACRE
SW% SE%	NW% 2.50 NW% 8.28	ACRES ACRES	RA	NGE 12 EA	ST, V	I.M.
	SECTION 4		SWX	SW% SECTIO	0.20 N 5	ACRE
SEX	SECTION 5	ACRES	SW1/	NW\	4.60	ACRES
NWX	NW% 3.50	ACRES	NWX	SW%	4.60	ACRES
SE%	SE% 3.78 SECTION 7	ACRES	SW1	SEX SEX		ACRES ACRES
	SW% 2.80 SECTION 8	ACRES	NE%			ACRES
NE% NW%	SE% 0.30 SE% 0.60 SECTION 10	ACRE		NE% 1 NW% SECTIO	N 7	
NW% NE% NW% NW%	NE% 1.60 NW% 0.90 NW% 4.20 SW% 0.10 SW% 4.50 SW% 6.00	ACDE	NW¾	NE% 2 NE% 2 NW% 1 SECTIO	N 8	ACRES
SW% SE%	SW% 4.50 SW% 6.00 SECTION 11	ACRES ACRES	SW¾	SWW SECTIO COWNSHIP 4 INGE 13 EA	1.10 N 9 SOUT	ACRES

## SUPPLEMENTAL - STREAM AND RESERVOIR

SWX	SEX SECTION		ACRE	SEX	SW% SECTI		ACRES
SEX	NEW NEW SEW SECTIO	4.60	ACRES ACRES	T	NW% SECTI COWNSHIP NGE 12 I	ON 13 4 SOUT	TH,
NEX NWX SWX NWX	NE% NW% NW% NW% SW% SW% SECTIO	10.00 6.20 3.00 13.50 4.60	ACRES ACRES ACRES ACRES				
	SECTIO	TT M					

This certificate describes that portion of the water right confirmed by Certificate 46368, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 29, 1979, approving Transfer 4314, entered April 22, 1981, approving Transfer 4704, entered January 19, 1982, approving Transfer 4800, entered June 14, 1985, approving Transfer 5551, entered June 14, 1985, approving Transfer 5553, and entered June 14, 1985, approving Transfer Application 8215.

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.

WITNESS the signature of the Water Resources Director,

affixed \_\_\_\_\_\_ JUN 04 1999

/S/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76223.

T-8215.LHN

# T-9990

Same McAllister Ranches				FEES PAID	
By 80455 Wamic Market Rol Tyg L Valley: OR . 97063	DESCRIPTION OF WATER RIGHT  BADGER CR, THREEMILE CR, BADGER LK RES HIGHLAND DITCH, PINE HOLLOW RES  Name of stream	-	8 5 05	350.00	76416
503-784-0836 Thange in POUL	Trib. of TryCh CR, WHITE RV, BADGER CR, PINE HOLLOW WASCO  Use TR/Do/LV/IS/IC/RC	_	TOTAL	Cert. Fee	
Date filed 8-5-2005	Quantity of water No. of acres				
Place of hearing	Name of ditch  04/27/1925,1021/1929,08/08/1914,04/12/1941  03/22/1961,07/23/1968,05/01/1975,03/20/1991  FA MORROW,BADGER IMPROVEMENT DISTRICT In name ofPINE HOLLOW COOP, DEFT FISH & WILDLIFE	_	244	FEES REFUNDED	Check Ms.
Proof mailed	Adjudication, Vol, page  App. No Per. No Cert. No	APP # S 10137	APP# CERT# \$ 6734 7221 \$ 15165 46532 \$ 2163 80637 \$ 22633 76222		
Proof received Vol , page	Notation made on record by	\$ 45212 \$ 53066	\$ 27390 76223 \$ 33228 51486 \$ 39616 51487		
. RE	MARKS				
Agent: Fenneson Engineering Porpf Carry Toll	Rd: Waric, DR. 97063				
Pine Hollow Cooperation: 80307 Ross Rd: Wa	mic . P.R. 17063				



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

February 14, 2007

WILLIAM R. MCALLISTER 80420 ROSS ROAD TYGH VALLEY, OREGON 97063

Reference: Transfer 9990

Enclosed is a copy of the order approving your water right transfer application.

A time to complete the transfer is given the order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed <u>only</u> upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the date you completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

Doug Parrow

R Natural Resource Specialist

DP:sh

cc: Watermaster #3

Larry Toll, Agent

**Badger Improvement District** 

man Henderson

Enclosure

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-9990, Wasco County	)	CHANGE IN PLACE OF USE

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

## **Applicant**

MCALLISTER RANCH 80455 WAMIC MARKET ROAD TYGH VALLEY, OR 97063

## **Findings of Fact**

- 1. On August 5, 2005, McAllister Ranches filed a transfer application to change the place of use under Certificates 7221, 46532, 80637, 76222, 76223, 51486, and 51487. The Department assigned the application number T-9990.
- 2. On November 27, 1979, Certificate 46532 was cancelled by an order of the Water Resources Director approving Transfer T-4313. Certificate 82086 was issued to supersede Certificate 46532 and describes the portion of the right not affected by Transfer T-4313.
- 3. On January 11, 2007 Larry Toll, the applicant's agent, amended the application to clear up an inconsistency between the application and the map, to clarify that 2.3 acres of supplemental irrigation under Certificate 82086 is being transferred with the associated primary right appurtenant to the same lands. Findings of Fact #6 and #8 contain the corrected supplemental acreage.
- 4. The portion of the FIRST right to be transferred is as follows:

Certificate: 7221 in the name of F. A. MORROW (perfected under Permit S-6734)

Use: IRRIGATION of 3.0 ACRES

Priority Date: APRIL 27, 1925

Rate: 0.039 CUBIC FOOT PER SECOND (CFS)

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 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.

Limit/Duty: ONE-EIGHTIETH of one cfs per acre

Source: BADGER CREEK, tributary to WHITE RIVER

**Authorized Place of Use:** 

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	1	SW NW	3.0			
				TOTAL:	3.0			

5. Application T-9990 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
4S	12E	WM	1	SW SW	1.2
4S	12E	WM	1	SE SW	1.8
				TOTAL:	3.0

6. The portion of the SECOND right to be transferred is as follows:

Certificate: 82086 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-15165)

Use: IRRIGATION of 5.3 ACRES and SUPPLEMENTAL IRRIGATION of 5.3

ACRES and STOCK

Priority Date: OCTOBER 21, 1929

Rate: 0.13 CUBIC FOOT PER SECOND (CFS) from BADGER CREEK for

IRRIGATION and 0.10 CFS from BADGER LAKE for SUPPLEMENTAL

IRRIGATION

Limit/Duty: ONE-FORTIETH of one cfs per acre up to July 1 of each year and thereafter

not to exceed ONE-EIGHTIETH of one cfs per acre, not to exceed 1.0 acrefoot per acre during any 30 day period up to July 1<sup>st</sup> of each year and not to exceed 3.0 acre-feet per acre during any irrigation season; provided further that the amount of water allowed herein, together with the amount of water secured under any other right existing for the same lands shall not exceed

the limitation allowed herein.

Source: BADGER CREEK AND BADGER LAKE RESERVOIR (constructed

under Permit R-773), tributaries to WHITE RIVER

**Authorized Point of Diversion:** 

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	11 E	WM	32	SW NE	NONE SPECIFIED

## **Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	1	SW NW	2.3
4 S	12 E	WM	1	SE NW	3.0
				TOTAL:	5.3

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	1	SW NW	2.3
4 S	12 E	WM	1	SE NW	3.0
4 S	12 E	WM	1	SE NW TOTAL:	

- 7. Certificate 82086 allows use of water for irrigation, supplemental irrigation, domestic and stock uses. The applicant has indicated that no domestic use is involved with this transfer, furthermore no domestic use of water has been claimed for these lands in the past or present.
- Application T-9990 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
4S	12E	WM	1	NE SW	2.3
4S	12E	WM	1	NW SW	1.1
4S	12E	WM	1	SW SW	1.0
4S	12E	WM	1	SE SW	0.9
				TOTAL:	5.3

SUPPLEMENTAL IRRIGATION and STO							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4S	12E	WM	1	NE SW	2.3		
4S	12E	WM	1	NW SW	1.		
4S	12E	WM	1	SW SW	1.0		
4S	12E	WM	1	SE SW	0.9		
				TOTAL:	5.3		

9. The portion of the THIRD right to be transferred is as follows:

Certificate:

80637 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-2163)

Use:

**IRRIGATION of 0.4 ACRE** 

Priority Date: AUGUST 8, 1914

Rate:

0.005 CUBIC FOOT PER SECOND

Limit/Duty:

ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre

per year

Source:

SOUTH FORK BADGER CREEK, tributary to TYGH CREEK

## **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	11 E	WM	32	SW NE	HIGHLAND DITCH - NORTH 65 DEGREES 21 MINUTES WEST, 1938.2 FEET FROM TH E1/4 CORNER OF SECTION 32

## Authorized Place of Use:

Acres	Q-Q	Sec	Mer	Rng	Twp
0.4	SW NW	1	WM	12 E	4 S
_	SW NW TOTAL:	1	WM	12 E	4 S

10. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4S	12E	WM	1	SE SW	0.4		
				TOTAL:	0.4		

11. The portion of the FOURTH right to be transferred is as follows:

Certificate:

76222 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-22633)

Use:

**IRRIGATION of 5.5 ACRES** 

Priority Date: APRIL 12, 1941 and MARCH 20, 1951

Rate:

0.14 CUBIC FOOT PER SECOND (CFS), being 0.07 CFS (Priority Date

APRIL 12, 1941) and 0.07 CFS (Priority Date MARCH 20, 1951)

Limit/Duty:

ONE-FORTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre

per year

Source:

BADGER CREEK and a RESERVOIR (constructed under Permit R-773),

tributaries to WHITE RIVER

**Authorized Point of Diversion:** 

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	SW SW	NONE SPECIFIED
3 S	11 E	WM	29	NE SW	NONE SPECIFIED

#### **Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	1	SW NW	0.6			
4 S	12 E	WM	1	SE NW	4.9			
				TOTAL:	5.5			

12. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4S	12 E	WM	1	SW SW	1.5			
4S	12 E	WM	1	SE SW	4.0			
				TOTAL:	5.5			

13. The portion of the FIFTH right to be transferred is as follows:

Certificate:

76223 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-27390)

Use:

SUPPLEMENTAL IRRIGATION of 3.0 ACRES

Priority Date: MARCH 22, 1961

**Quantity:** 

0.03 CUBIC FOOT PER SECOND (CFS)

Limit/Duty:

ONE-FORTIETH of one cfs per acre, not to exceed 3.0 acre feet per acre per

year

Source:

A RESERVOIR (constructed under Permit R-773), tributary to WHITE

**RIVER** 

## **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	SW SW	BADGER LAKE - 400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER OF SECTION 16

#### **Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Q-Q	Acres					
4 S	12 E	WM	1	SW NW	3.0		
				TOTAL:	3.0		

14. Application T-9990 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW SW	1.2		
4 S	12 E	WM	1	SE SW	1.8		
				TOTAL:	3.0		

15. The portion of the SIXTH right to be transferred is as follows:

Certificate:

51486 in the name of PINE HOLLOW COOPERATIVE, INC. and

DEPTARTMENT OF FISH & WILDLIFE (perfected under Permit

S-33228)

Use:

SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: JULY 23, 1968

Quantity:

11. 9 ACRE FEET (AF)

Limit/Duty:

Not to exceed 3 acre-feet per acre per year during the irrigation season and further limited to the use of stored water only on lands described as supplemental. Water from the reservoir is to provide a supplemental irrigation supply for lands being benefited by exchange of water with lands below the reservoir under the terms of an agreement between the Badger Improvement District and Pine Hollow Cooperative, Inc., and the Pine Hollow Cooperative Water Users agreement. In the exchange, upper lands use water diverted for the lower lands entitled thereto and replace it in a like

amount from the reservoir authorized under Permit R-5250.

Source:

PINE HOLLOW RESERVOIR, constructed under Permit R-5250, tributary

to WHITE RIVER

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	12 E	WM	10	NE NW	PINE HOLLOW RESERVOIR - 700 FEET SOUTH AND 1930 FEET EAST FROM THE NW CORNER OF SECTION 10

#### Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW NW	3.6		
4 S	12 E	WM	1	SE NW	7.9		
				TOTAL:	11.5		

16. Application T-9990 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	NE SW	0.3		
4 S	12 E	WM	1	NW SW	0.8		
4 S	12 E	WM	1	SW SW	3.7		
4 S	12 E	WM	1	SE SW	6.7		
				TOTAL:	11.5		

17. The portion of the SEVENTH right to be transferred is as follows:

Certificate: 51487 in the name of PINE HOLLOW COOPERATIVE, INC. (perfected

under Permit S-39616)

Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: MAY 1, 1975

Quantity: 11.88 ACRE FEET

Limit/Duty: Not to exceed 3.0 acre-feet per acre per year during the irrigation season.

Water from the reservoir is to provide a supplemental supply for lands being benefited by exchange of water with lands below the reservoir under the terms of an agreement between the Badger Improvement District and Pine Hollow Cooperative, Inc. and the Pine Hollow Cooperative Water Users agreement. In the exchange, upper lands use water diverted for the lower lands entitled thereto and replace it in like amount from the reservoir.

**Source:** PINE HOLLOW RESERVOIR, constructed under Permit R-6368, tributary

**Authorized Place of Use:** 

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW NW	3.6		
4 S	12 E	WM	1	SE NW	7.9		
				TOTAL:	11.5		

to WHITE RIVER

18. Application T-9990 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	1	NE SW	0.3
4 S	12 E	WM	1	NW SW	0.8
4 S	12 E	WM	1	SW SW	3.7
4 S	12 E	WM	1	SE SW	6.7
				TOTAL:	11.5

- 19. Notice of the application for transfer was published on August 16, 2005, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
- 20. On January 5, 2007, the Department issued a preliminary determination proposing to approve Transfer T-9990 and mailed a copy to the applicants. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on January 9, 2007 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
- 21. Transfer application T-9990 is being processed concurrently with transfer applications T-8080, T-10016 and T-10228 which also affect Certificates 51486, 51487, 76222, 76223, and 80637. Upon issuance of the final orders for these transfers, Certificates 51486, 51487, 76222, 76223, and 80637 will be cancelled and new certificates will be issued describing the portions of the rights not affected by the transfers.
- 22. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 23. Ditches and sprinkler systems sufficient to use the full amount of water allowed under the existing right are present.
- 24. The Department requires a suitable device for measuring and recording the quantity of water diverted under the rights. Currently the Badger Improvement District has a headgate and Parshall flume at the point of diversion that satisfies this requirement.
- 25. The proposed change would not result in enlargement of the rights.
- 26. The proposed change would not result in injury to other water rights.

## **Conclusions of Law**

The change in place of use proposed in Transfer Application T-9990 is consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000.

## Now, therefore, it is ORDERED:

- 1. The changes in place of use proposed in application T-9990 are approved.
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7221, 82086, 80637, 76222, 76223, 51486, 51487, and any related decree.
- 3. Certificates 7221, 82086, 80637, 76222, 76223, 51486 and 51487 are cancelled. New certificates will be issued describing the portions of the rights not affected by T-8080, T-9990, T-10016 and T-10228.

- 4. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008.** A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- 5. The former place of use of the transferred water shall no longer receive water as part of these rights.
- 6. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 12th day of February 2007.

Phillip C. Ward, Director

Mailing date: FEB 1 5 2007

## COUNTY OF WASCO

#### CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT 80309 ROSS RD TYGH VALLEY, OR 97063

confirms the right to use the waters of BADGER CREEK and BADGER LAKE RESERVOIR constructed under Permit R-773, tributaries of the WHITE RIVER, for IRRIGATION of 473.0 ACRES and SUPPLEMENTAL IRRIGATION of 645.42 ACRES, DOMESTIC and STOCK USE.

This right was perfected under Permit 15165. The date of priority is OCTOBER 21, 1929. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 23.35 CUBIC FEET PER SECOND being 11.73 CUBIC FEET PER SECOND from Badger Creek for irrigation, 11.62 CUBIC FEET PER SECOND from Badger Lake Reservoir for supplemental irrigation; and 0.14 CUBIC FEET PER SECOND from Badger Creek for domestic and stock use, or their equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng Mer		Sec	Q-Q	
3 S	11 E	WM	32	SW NE	

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 not to exceed one acre foot per acre during any 30-day period up to July 1<sup>st</sup> of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, that the rate of flow shall not exceed ONE-FORTIETH of one cubic foot per second per acre up to July 1<sup>st</sup> of each year and thereafter not to exceed ONE-EIGHTIETH of one cubic foot per second per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands, shall not exceed the limitation allowed herein.

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

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

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
3 S	12 E	WM	33	SW SW	4.00			
4 S	11 E	WM	2	SE SE	15.00			
4 S	12 E	WM	1	SW NE	15.00			
4 S	12 E	WM	1	SW NW	6.30			
4 S	12 E	WM	1	SE NW	12.00			
4 S	12 E	WM	1	SW SE	20.00			
4 S	12 E	WM	1	SE SE	30.00			
4 S	12 E	WM	2	SW NW	34.00			
4 S	12 E	WM	2	SE SW	17.70			
4 S	12 E	WM	2	NE SE	16.90			
4 S	12 E	WM	3	NW NE	5.00			
4 S	12 E	WM	3	SW NE	20.00			
4 S	12 E	WM	3	SE NE	8.00			
4 S	12 E	WM	3	NE NW	15.70			

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	3	NE SE	8.00			
4 S	12 E	WM	3	NW SE	6.00			
4 S	12 E	WM	3	SE SE	5.00			
4 S	12 E	WM	4	SW NW	2.50			
4 S	12 E	WM	4	SE NW	15.00			
4 S	12 E	WM	4	SW SW	11.70			
4 S	12 E	WM	5	SE NW	15.00			
4 S	12 E	WM	7	SE SE	20.00			
4 S	12 E	WM	8	SW SW	8.00			
4 S	12 E	WM	9	NW NW	5.00			
4 S	12 E	WM	9	SW SE	7.00			
4 S	12 E	WM	9	SE SE	6.50			
4 S	12 E	WM	10	SW NE	5.30			
4 S	12 E	WM	10	NE SE	7.30			
4 S	12 E	WM	10	NW SE	10.60			
4 S	12 E	WM	11	NE NW	10.00			
4 S	12 E	WM	11	SE SW	6.00			
4 S	12 E	WM	13	NW NE	12.00			
4 S	12 E	WM	13	NE NW	4.00			
4 S	12 E	WM	18	NE NE	2.50			
4 S	13 E	WM	6	NE SE	10.00			
4 S	13 E	WM	6	NW SE	10.00			
4 S	13 E	WM	6	SE SE	10.00			
4 S	13 E	WM	7	NE NE	14.20			
4 S	13 E	WM	7	NE NW	26.80			
4 S	13 E	WM	8	NW NW	10.00			
4 S	13 E	WM	8	SE NW	5.00			

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
3 S	12 E	WM	33	SW SW	4.00			
3 S	12 E	WM	33	SE SE	14.14			
4 S	11 E	WM	2	SE SE	10.38			
4 S	11 E	WM	12	NW NE	8.00			
4 S	12 E	WM	1	SW NE	15.00			
4 S	12 E	WM	1	SW NW	9.22			
4 S	12 E	WM	1	SE NW	12.00			
4 S	12 E	WM	1	NW SE	5.35			
4 S	12 E	WM	1	SW SE	28.00			
4 S	12 E	WM	1	SE SE	31.00			
4 S	12 E	WM	2	SW NW	25.80			
4 S	12 E	WM	2	SE SW	14.14			
4 S	12 E	WM	2	NE SE	20.76			
4 S	12 E	WM	3	NW NE	5.00			
4 S	12 E	WM	3	SW NE	27.26			
4 S	12 E	WM	3	NE NW	15.00			
4 S	12 E	WM	3	NE SE	18.14			
4 S	12 E	WM	3	NW SE	6.00			
4 S	12 E	WM	3	SE SE	7.00			
4 S	12 E	WM	4	SE NW	11.72			

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	5	NE NE	13.00
4 S	12 E	WM	5	SE NW	10.38
4 S	12 E	WM	7	SW NW	7.00
4 S	12 E	WM	7	SE NW	2.00
4 S	12 E	WM	7	NE SW	8.95
4 S	12 E	WM	7	SE SE	16.22
4 S	12 E	WM	8	SW SW	8.00
4 S	12 E	WM	8	NW SE	12.45
4 S	12 E	WM	9	NW NW	4.00
4 S	12 E	WM	9	SW SE	7.00
4 S	12 E	WM	9	SE SE	6.50
4 S	12 E	WM	10	SW NE	5.33
4 S	12 E	WM	10	NE SE	7.00
4 S	12 E	WM	10	NW SE	10.00
4 S	12 E	WM	11	NE NW	17.00
4 S	12 E	WM	11	NW SW	10.00
4 S	12 E	WM	11	SW SW	3.00
4 S	12 E	WM	12	SW NE	15.10
4 S	12 E	WM	12	SE NE	7.50
4 S	12 E	WM	12	NW NW	14.76
4 S	12 E	WM	12	SWNW	6.00
4 S	12 E	WM	12	NE SE	2.50
4 S	12 E	WM	13	NW NE	8.00
4 S	12 E	WM	13	NE NW	4.00
4 S	12 E	WM	15	NW NW	7.26
4 S	12 E	WM	18	NE NE	1.70
4 S	13 E	WM	5	SW SW	11.00
4 S	13 E	WM	5	SE SW	3.00
4 S	13 E	WM	6/4	NE SE	10.00
4 S	13 E	WM	6	NW SE	10.00
4 S	13 E	WM	6	SE SE	20.00
4 S	13 E	WM	7	NE NE	9.40
4 S	13 E	WM	7	NE NW	26.80
4 S	13 E	WM	8	SW NE	28.66
4 S	13 E	WM	8	NW NW	20.00
4 S	13 E	WM	8	SE NW	4.00

This certificate describes that portion of the water right confirmed by Certificate 82086, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FFB 1 2 2007 approving Transfer Application T-9990.

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.

WITNESS the signature of the Water Resources Director, affixed	FEB 1 2 2007
Delle Colbert	
Phillip C Ward Director	

T-9990.RA-dip/ljj

Page 3 of 3

Recorded in State Record of Water Right Certificates numbered 82980.

#### COUNTY OF WASCO

## CERTIFICATE OF WATER RIGHT

## THIS CERTIFICATE ISSUED TO

F. A. MORROW WAMIC, OR 97063

confirms the right to use the waters of BADGER CREEK, tributary of the WHITE RIVER, for IRRIGATION of 7.0 ACRES.

This right was perfected under Permit 6734. The date of priority is APRIL 27, 1925. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.091 CUBIC FOOT PER SECOND.

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-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.

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

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	1	SW NW	2.0
4 S	12 E	WM	4	SE NW	5.0

This certificate describes that portion of the water right confirmed by Certificate 7221, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 1 2 2007 approving Transfer Application T-9990.

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.

WITNESS the signature of the Water Resources Director, affixed

FEB 1 2 2007

Phillip C. Ward, Director,

# **Water Right Transfer Completion Checklist**

**T-**9990

Transfer Specialist: R.A.

Water	Rights	Affected
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	App File No.	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.		
	5-10137	S-6734	7221	⊠ Yes □ No	82979		
	5-13088	S-15165	82086	⊠ Yes □ No	82980		
	5-3843	S-2163	80637	⊠ Yes □ No	To 62 135 hed after T-8080+T-1001		
	5-19264	S-22633	76222	⊠ Yes □ No	To be issued after T-8080+ T-10721		
	5-34734	S-27390	76223	⊠ Yes □ No	> To86= 73 wed after T-8080, T-100, + T-10228		
	5-45212	S-33228	51486		82976 T-8080, +T-1020		
i	5-53066	S-39616	51487	⊠ Yes □ No	82974		
	Copies Needed  Watermaster District: 3  CWRE No.: 132  Irrig Dist Name/Address: Endger Improvement District  Commentors Name/Address: Larry Toll is CWRE and agent						
	Draft PD		Prelimir	nary Determination			
☑ DPD Mailed ☑ Lectronic Files uploaded ☐ File Folder updated   ☑ DPD Response ☑ Preliminary Determination ☐ Fee Refund Due   ☑ Workflow ☑ PD Cover letter ☐ Remaining Rights   ☑ Newspaper Notice (if required) ☑ Public Notice, Salem   ☐ Workflow/Date Sent to Salem ☐ Audit Sheet							
	Comments/Special Issues: Stock use is to be included in the transfer.						
Damestic use is not chained Can the 1 . C . I I							
Corrections to order and re certificate, based on 1/11/07 email from agent.  This application is being expedited through Reimbursement Authority.					1/11/07 email from agent.		
	This applica	ation is bein	a expedited	through Reimbur	sement Authority.		

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)	
Reviewer: Date: Date:	Reviewer: Date: 12-21-00	Reviewer: Date:	
Coordinator: Date:	Coordinator: Dup Date: 1/4/07	Coordinator: DIP Date: 2/9/07	

Note: Issue PD and FO concurrent with T-8080, T-10016+T-10228.

Comments/Special Issues:			
Special Order Volume:, P	ages	Final Order Signature Date:	_
WRIS clone correction need	ed		

## **Dorothy Pedersen**

Larry Toll [LToll@tennesoneng.com] From:

Thursday, January 11, 2007 3:06 PM Sent:

To: **Dorothy Pedersen** 

Ken Dowden; Lisa.J.JARAMILLO@wrd.state.or.us Cc:

Subject: Preliminary Determinations for Transfers 8080, 9990, 10016, & 10228

Dorothy,

Here my comments and think the following adjustments need to be made.

Transfer 8080 - Finding of Fact - #18

There should be no water included to be abandoned. The certificate was issued at less that the maximum rate. Canceling land and no water still leave this water right below the maximum rate allowed. No water was listed in affidavits to be abandoned.

Transfer 9990 - Finding of Fact - #5 and #7

Sec. 1 745,728 This is my mistake. The map shows that in the SW of the NW, 2.3 acres are to be transferred out with primary and supplemental water rights. They both are under Cert 82086 (permit 15165). However in my application I only listed the primary part of this water right. This needs to be amended to include the 2.3 acres of supplemental listed on the map.

This would move to the 2.0 acres in the NE of the SW and 0.3 acre in the NW of the SW of Section 1. Once again I show it on the map but not in the application.

Transfer 10016 - Finding of Fact - #2

Source of water should be Badger Creek and Badger Lake Reservoir. I believe that this certificate was issued in 3 blocks of land. One for Badger Creek and Badger Lake Reservoir for primary on lands with no existing water rights, Badger Lake Reservoir for supplemental for lands with existing Badger Creek water rights, and Badger Creek and Badger Lake Reservoir for supplemental to lands with some other source as the primary right.

Transfer 11228 - Finding of Fact - #2

Clarify that the source of water should be Badger Creek and Badger Lake Reservoir for primary and Badger Lake Reservoir only for supplemental. I believe that this certificate was issued in 3 blocks of land. One for Badger Creek and Badger Lake Reservoir for primary on lands with no existing water rights, Badger Lake Reservoir for supplemental for lands with existing Badger Creek water rights, and Badger Creek and Badger Lake Reservoir for supplemental to lands with some other source as the primary right.

Thanks for looking at these and sorry that I did not see these on the Drafts.

Larry

Larry Toll, P.E., W.R.E. **Tenneson Engineering Corporation** 409 Lincoln Street The Dalles, OR 97058 Phone: 541-296-9177

Fax: 541-296-6657

E-mail: ltoll@tennesoneng.com



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

January 8, 2007

McAllister Ranches 80455 Wamic Market Road Tygh Valley, OR 97063

SUBJECT: Transfer Application T-9990

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-9990. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Pd Noticed 1-9-07

Sincerely,

Dorothy I. Pedersen

Field Services Division

cc: District 03 Watermaster - Robert Wood, Jr.

Larry M. Toll – CWRE #132

Vorothy S. Pedersen

encs

(3)



Water Resources Department

North Mall Office Building 725 Summer Street NF, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

January 8, 2007

McAllister Ranches 80455 Wamic Market Road Tygh Valley, OR 97063

SUBJECT: Transfer Application T-9990

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-9990. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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Sincerely,

Dorothy I. Pedersen

Field Services Division

District 03 Watermaster - Robert Wood, Jr.

Larry M. Toll – CWRE #132

Sorothy S. Pedersen

encs

# Notice of Preliminary Determination for Water Right Transfer T-9990

T-9990 filed by McAllister Ranches, 80455 Wamic Market Road, Tygh Valley, OR 97063, proposes a change in place of use under Certificates 7221, 82086, 80637, 76222, 76223, 51486, and 51487. The portions of the rights to be transferred allow the combined use of 0.313 cfs live flow for irrigation, 0.084 cfs live flow for supplemental irrigation, and up to 23.78 acre-feet of stored water (priority dates: April 27, 1925; October 21, 1929; August 8, 1914; April 12, 1941; March 20, 1951; March 22, 1961; July 23, 1968; and May 1, 1975) from four diversions located in Sec. 16, T3S, R10E, W.M.; Sec. 29, T3S, R11E, W.M.; Sec. 32, T3S, R11E, W.M.; and Sec. 10, T4S, R12E, W.M., for irrigation in Sec. 1, T4S, R12E, W.M.. The applicant proposes to change the place of use to another location within Sec. 1, T4S, R12E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is **[DATE OF LAST PUBLICATION]**. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-9990, Wasco County	)	PROPOSING APPROVAL OF A
•	)	CHANGE IN PLACE OF USE

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

# **Applicant**

MCALLISTER RANCH 80455 WAMIC MARKET ROAD TYGH VALLEY, OR 97063

# **Findings of Fact**

- 1. On August 5, 2005, McAllister Ranches filed a transfer application to change the place of use under Certificates 7221, 46532, 80637, 76222, 76223, 51486, and 51487. The Department assigned the application number T-9990.
- 2. On November 27, 1979, Certificate 46532 was cancelled by an order of the Water Resources Director approving Transfer T-4313. Certificate 82086 was issued to supersede Certificate 46532 and describes the portion of the right not affected by Transfer T-4313.
- 3. The portion of the FIRST right to be transferred is as follows:

Certificate:

7221 in the name of F. A. MORROW (perfected under Permit S-6734)

Use:

**IRRIGATION of 3.0 ACRES** 

Priority Date: APRIL 27, 1925

Rate:

0.039 CUBIC FOOT PER SECOND (CFS)

Limit/Duty:

ONE-EIGHTIETH of one cfs per acre

Source:

BADGER CREEK, tributary to WHITE RIVER

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
4 S	12 E	WM	1	SW NW	3.0	
				TOTAL:	3.0	

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

4. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
4S	12E	WM	1	SW SW	1.2	
4S	12E	WM	1	SE SW	1.8	
				TOTAL:	3.0	

The portion of the SECOND right to be transferred is as follows:

Certificate:

82086 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-15165)

Use:

IRRIGATION of 5.3 ACRES and SUPPLEMENTAL IRRIGATION of 3.0

ACRES and STOCK

Priority Date: OCTOBER 21, 1929

Rate:

0.13 CUBIC FOOT PER SECOND (CFS) from BADGER CREEK for

IRRIGATION and 0.05 CFS from BADGER LAKE for SUPPLEMENTAL

IRRIGATION

Limit/Duty:

ONE-FORTIETH of one cfs per acre up to July 1 of each year and thereafter not to exceed ONE-EIGHTIETH of one cfs per acre, not to exceed 1.0 acrefoot per acre during any 30 day period up to July 1st of each year and not to exceed 3.0 acre-feet per acre during any irrigation season; provided further that the amount of water allowed herein, together with the amount of water secured under any other right existing for the same lands shall not exceed

the limitation allowed herein.

Source:

BADGER CREEK AND BADGER LAKE RESERVOIR (constructed

under Permit R-773), tributaries to WHITE RIVER

**Authorized Point of Diversion:** 

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	11 E	WM	32	SW NE	NONE SPECIFIED

### **Authorized Place of Use:**

IRRIGATION and STOCK							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW NW	2.3		
4 S	12 E	WM	1	SE NW	3.0		
				TOTAL:	5.3		

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	1	SE NW	3.0

2.3 in SWINN as per email
VII/07 from Larry Toll

6. Certificate 82086 allows use of water for irrigation, supplemental irrigation, domestic and stock uses. The applicant has indicated that no domestic use is involved with this transfer, furthermore no domestic use of water has been claimed for these lands in the past or present. 7. Application T-9990 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
4S	12E	WM	1	NE SW	2.3
4S	12E	WM	1	NW SW	1.1
4S	12E	WM	1	SW SW	1.0
4S	12E	WM	1	SE SW	0.9
				TOTAL:	5.3

Twp	Rng	Mer	Sec	Q-Q	Acres
4S	12E	WM	1	NE SW	0.3
4S	12E	WM	1	NW SW	0.8
4S	12E	WM	1	SW SW	1.0
4S	12E	WM	1	SE SW	0.9
				TOTAL:	3.0

8. The portion of the THIRD right to be transferred is as follows:

Certificate: 80637 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-2163)

Use: IRRIGATION of 0.4 ACRE

Priority Date: AUGUST 8, 1914

Rate: 0.005 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre

per year

Source: SOUTH FORK BADGER CREEK, tributary to TYGH CREEK

### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	11 E	WM	32	SW NE	HIGHLAND DITCH - NORTH 65 DEGREES 21 MINUTES WEST, 1938.2 FEET FROM THE E1/4 CORNER OF SECTION 32

# **Authorized Place of Use:**

	IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW NW	0.4		
				TOTAL:	0.4		

9. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
4S	12E	WM	1	SE SW	0.4	
				TOTAL:	0.4	

10. The portion of the FOURTH right to be transferred is as follows:

Certificate:

76222 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-22633)

Use:

**IRRIGATION of 5.5 ACRES** 

Priority Date: APRIL 12, 1941 and MARCH 20, 1951

Rate:

0.14 CUBIC FOOT PER SECOND (CFS), being 0.07 CFS (Priority Date

APRIL 12, 1941) and 0.07 CFS (Priority Date MARCH 20, 1951)

Limit/Duty:

ONE-FORTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre

per year

Source:

BADGER CREEK and a RESERVOIR (constructed under Permit R-773),

tributaries to WHITE RIVER

### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	SW SW	NONE SPECIFIED
3 S	11 E	WM	29	NE SW	NONE SPECIFIED

### Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW NW	0.6		
4 S	12 E	WM	1	SE NW	4.9		
				TOTAL:	5.5		

11. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4S	12 E	WM	1	SW SW	1.5		
4S	12 E	WM	1	SE SW	4.0		
				TOTAL:	5.5		

12. The portion of the FIFTH right to be transferred is as follows:

Certificate:

76223 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-27390)

Use:

SUPPLEMENTAL IRRIGATION of 3.0 ACRES

Priority Date: MARCH 22, 1961

Quantity:

0.03 CUBIC FOOT PER SECOND (CFS)

Limit/Duty:

ONE-FORTIETH of one cfs per acre, not to exceed 3.0 acre feet per acre per

Source:

A RESERVOIR (constructed under Permit R-773), tributary to WHITE

RIVER

## Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	SW SW	BADGER LAKE - 400 FEET NORTH AND 800 FEET
					EAST FROM THE SW CORNER OF SECTION 16

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
4 S	12 E	WM	1	SW NW	3.0	
				TOTAL:	3.0	

13. Application T-9990 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW SW	1.2		
4 S	12 E	WM	1	SE SW	1.8		
				TOTAL:	3.0		

14. The portion of the SIXTH right to be transferred is as follows:

Certificate: 51486 in the name of PINE HOLLOW COOPERATIVE, INC. and

DEPTARTMENT OF FISH & WILDLIFE (perfected under Permit

S-33228)

Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: JULY 23, 1968

Quantity: 11. 9 ACRE FEET (AF)

Limit/Duty: Not to exceed 3 acre-feet per acre per year during the irrigation season and

further limited to the use of stored water only on lands described as supplemental. Water from the reservoir is to provide a supplemental irrigation supply for lands being benefited by exchange of water with lands below the reservoir under the terms of an agreement between the Badger Improvement District and Pine Hollow Cooperative, Inc., and the Pine Hollow Cooperative Water Users agreement. In the exchange, upper lands use water diverted for the lower lands entitled thereto and replace it in a like

amount from the reservoir authorized under Permit R-5250.

Source: PINE HOLLOW RESERVOIR, constructed under Permit R-5250, tributary

to WHITE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	12 E	WM	10	NE NW	PINE HOLLOW RESERVOIR - 700 FEET
					SOUTH AND 1930 FEET EAST FROM THE NW
					CORNER OF SECTION 10

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres.		
4 S	12 E	WM	1	SWNW	3.6		
4 S	12 E	WM	1	SENW	7.9		
				TOTAL:	11.5		

15. Application T-9990 proposes to change the place of use of the right to:

CHINEY	WANT OF THE RESERVE A SE	TENTAL CONTRACTOR	
SILDDI	Pr. DVI Pr. LVI. I. W	IDDIT: VILITIN	
SULL		IRRIGATION	

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	1	NE SW	0.3
4 S	12 E	WM	1	NW SW	0.8
4 S	12 E	WM	1	SW SW	3.7
4 S	12 E	WM	1	SE SW	6.7
				TOTAL:	11.5

16. The portion of the SEVENTH right to be transferred is as follows:

Certificate: 51487 in the name of PINE HOLLOW COOPERATIVE, INC. (perfected

under Permit S-39616)

Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: MAY 1, 1975

Quantity: 11.88 ACRE FEET

Limit/Duty: Not to exceed 3.0 acre-feet per acre per year during the irrigation season.

Water from the reservoir is to provide a supplemental supply for lands being benefited by exchange of water with lands below the reservoir under the terms of an agreement between the Badger Improvement District and Pine Hollow Cooperative, Inc. and the Pine Hollow Cooperative Water Users agreement. In the exchange, upper lands use water diverted for the lower lands entitled thereto and replace it in like amount from the reservoir.

lands entitled thereto and replace it in like amount from the reservoir.

Source: PINE HOLLOW RESERVOIR, constructed under Permit R-6368, tributary

to WHITE RIVER

### **Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SW NW	3.6		
4 S	12 E	WM	1	SE NW	7.9		
				TOTAL:	11.5		

17. Application T-9990 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	NE SW	0.3		
4 S	12 E	WM	1	NW SW	0.8		
4 S	12 E	WM	1	SWSW	3.7		
48	12 E	WM	1	3E 3W	6.7		
				TOTAL:	11.5		

- 18. Notice of the application for transfer was published on August 16, 2005, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
- Transfer application T-9990 is being processed concurrently with transfer applications T-8080, T-10016 and T-10228 which also affect Certificates 51486, 51487, 76222, 76223,

- and 80637. Upon issuance of the final orders for these transfers, Certificates 51486, 51487, 76222, 76223, and 80637 will be cancelled and new certificates will be issued describing the portions of the rights not affected by the transfers.
- 20. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 21. Ditches and sprinkler systems sufficient to use the full amount of water allowed under the existing right are present.
- 22. The Department requires a suitable device for measuring and recording the quantity of water diverted under the rights. Currently the Badger Improvement District has a headgate and Parshall flume at the point of diversion that satisfies this requirement.
- 23. The proposed change would not result in enlargement of the rights.
- 24. The proposed change would not result in injury to other water rights.

# **Determination and Proposed Action**

The change in place of use proposed in Transfer Application T-9990 appears to be consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

- 1. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7221, 82086, 80637, 76222, 76223, 51486, 51487, and any related decree.
- 2. Upon issuance of a final order approving Transfer T-9990, Certificates 7221, 82086, 80637, 76222, 76223, 51486 and 51487 will be cancelled. New certificates will be issued describing the portions of the rights not affected by T-8080, T-9990, T-10016 and T-10228.
- 3. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008.** A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- 4. The former place of use of the transferred water shall no longer receive water as part of these rights.
- 5. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 5	day of Jan	mary	_ 2007.
Nell Color		0	
Phillip C. Ward, Director			

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

This Preliminary Determination was prepared by a Reimbursement Authority contractor under supervision by Dorothy Pedersen. If you have questions about the information in this document, you may reach me at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us.

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

19.72 cfs (+) 1894.54 AC= 0.01040885 0.01041 cfs/AC

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT 80309 ROSS ROAD TYGH VALLEY, OREGON 97063

Transfer: 3.= Ac (4) 0.01041= 0.03/23 -

Remain: 1891.54 Ac (x) 0.01041= 19.6909314 > 19.6

confirms the right to use the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 1488.5 ACRES and SUPPLEMENTAL IRRIGATION of 406.04 ACRES.

This right was perfected under Permit 27390. The date of priority is MACH 22, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 19.72 CUBIC FOOT PER SECOND, from direct flow, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

NE% SW%, SECTION 29, T 3 S, R 11 E, WM; BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER, SECTION 29; and

SW% SW%, SECTION 16, T 3 S, R 10 E, WM; BADGER LAKE - 400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER, SECTION 16.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773 and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amound secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein.

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:

### PRIMARY

NEX	NEX	2.60	ACRES	NEX	NWX		2.00	ACRES
SWX	NEX	3.60	ACRES	NWX	NWX		12.40	ACRES
SEX	NEX	19.10	ACRES	SWX	NWY		1.60	ACRES
NEX	NWX	8.80	ACRES	SEX	NWX		7.10	ACRES
SEX	NWX	0.20	ACRE	NE1/4	SWX		23.70	ACRES
NEX	SWX	21.90	ACRES	NWX	SWX		13.90	ACRES
NWX	SWX	8.00	ACRES	NEX	SEX		8.80	ACRES
SWX	SWX	0.50	ACRE	NWX	SEX		38.90	ACRES
SEX	SWX	5.20	ACRES	SWX	SEX		12.20	ACRES
NE%	SEX	29.35	ACRES	SEX	SEX		9.20	ACRES
NWX	SEX	12.80	ACRES		S	ECTI	ON 2	
SWX	SEX	11.60	ACRES					
SEY	SEX	8.80	ACRES					

SECTION 1

NWW NEW SWW NEW SEW NEW NEW NWW NWW NWW NEW SEW NWW SEW SEW SEW SEW	9 40 ACPEC				
SW% NE%		NE¥	NEY	26 20	ACRES
- TI	8.30 ACRES	NEX NEX NEX NEX NEX NEX NEX NEX NEX	NEV	16 80	ACDEC
CEL MEL	11 20 ACRES	NIE1/	ATTATA /	13.60	ACRES
DEM MEM	II.20 ACRES	NEX	TAMA	13.60	ACRES
NE% NW%	5.10 ACRES	NW%	MMX	3.00	ACRES
NMX NMX	10.00 ACRES	3	SEC	TION 13	
NEX SEX	12.60 ACRES	3			
NWY SEY	11.80 ACRES	NE¥	NEV	12.40	ACRES
CMM CEM	2 90 ACPE	112%	CEC	TTON 14	ACICEO
ODIV ODIV	2.90 ACRES		SEC	.110N 14	
SEX SEX	4.90 ACRES	•			
SEC	CTION 3	NE'	NWX	4.80	ACRES
		N₩¥	NWX	14.30	ACRES
NEW NEW	9.00 ACRES		SEC	TTON 15	
NWL NEL	1 00 ACRES		DEC	1101 13	
MAN MEN	1.00 ACRES				
NEX NWX	8.30 ACRES	NE%	NEX	20.80	ACRES
SWX NWX	9.00 ACRES 1.00 ACRES 8.30 ACRES 7.90 ACRES 5.20 ACRES 2.60 ACRES	NE%	NEX	4.70	ACRES
SEX NWX	5.20 ACRES	NE¥	NWY	1.00	ACRES
SEY SWY	2.60 ACRES	3	SEC	TION 16	
SEC	TTON A	,	DEC	11011 10	
350	110N 4				
		NW%	NEX	1.40	ACRES
NWX NWX	9.85 ACRES	NE%	NWX	3.20	ACRES
SWX SEX	7.20 ACRES	NW\	NWX	5.00	ACRES
SEY SEY	9 80 ACRES		SEC	TTON 17	
CEC CEC	TON 7	,	المال	TION I	
SEC	.110N /	37771 /	37773 /		
•		NE%	NEX	3.80	ACRES
NEX SWX	7.60 ACRES	NW <del>X</del>	NEX	2.05	ACRES
NWX SWX	6.80 ACRES	3	SEC	TION 18	
SWY SWY	20,20 ACRES	т	OWNSH	TP 4 SOUT	Ή.
SEN SMN	13 00 ACPE	D 7	NCP 1	O PACT W	7 M
MEN OF	13.00 ACRES	, na	TAGE T	Z EASI, N	. 141 .
NEW SEW	12.00 ACRES				-
SWX SEX	10.70 ACRES	NE%	SWX	1.40	ACRES
SEX SEX	0.50 ACRES	NW*	SWX	12.80	ACRES
SEC	CTION 8	SW¥	SWY	28.40	ACRES
		SEY	CMI	24 70	ACDEC
MEN CM	20 10 ACDE	TOTAL COLUMN	CDIA	24.70	ACRES
MEN SWN	39.10 ACRES	NW%	SEX	1.80	ACRES
NW% SW%	1.65 ACRES	SW <del>X</del>	SEX	3.80	ACRES
	26 80 ACPE	2	CE	CETON E	
SWX SEX	ZU. OU ACILLI	)	35	CITON 5	
SW% SE%	18.60 ACRES		SE	CTION 5	
SW% SE% SE% SE%	18.60 ACRES	S SWI	MAL	CTION 5	) CDEC
SW% SE% SE% SE% SEC	18.60 ACRES	SW <sub>X</sub>	NW%	4.60	ACRES
SWX SEX SEX SEX SEC	18.60 ACRES	SW% SE%	NW¥ NW¥	4.60 1.70	ACRES ACRES
SWX SEX SEX SEX SEC	18.60 ACRES	SWX SEX NEX	NW% NW% SW%	4.60 1.70 9.90	ACRES ACRES ACRES
SWX SEX SEX SEX SEC NEX NEX SEX NEX	18.60 ACRES TION 9  11.60 ACRES 3.90 ACRES	SWX SEX SEX NEX NWX	NWX NWX SWX	4.60 1.70 9.90 23.30	ACRES ACRES ACRES ACRES
SWX SEX SEX SEX SEC NEX NEX SEX NEX NEX SEX	18.60 ACRES TION 9  11.60 ACRES 3.90 ACRES 28.70 ACRES	SWX SEX NEX NEX SWX	NWX NWX SWX SWX	4.60 1.70 9.90 23.30 38.00	ACRES ACRES ACRES ACRES
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NEW SWW NWW SWW SWW SWW SEW SWW SWW SEW SEC	3.35 ACRES 7.00 ACRES 16.50 ACRES 12.20 ACRES 3.45 ACRES	S NWW SWW SEW SEW SEW SEW	NEX NEX NWX NWX NWX	9.70 12.00 4.30 11.40 17.30 18.60 13.30	ACRES ACRES ACRES ACRES ACRES
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ı		NEV	NWW	17 70	ACRES		MEL	CMI	7 00	ACDEC
		NTM11/	BTTATE /	17.70 5.50	ACDEC		NTLT1/	CIVIL	0.00	ACRES
I		MALLEY	PALALA V	10.00	ACRES		MAN	OTTI (	7.00 9.80 1.90 1.70 4.80	ACRES
I		SWX	NW%	10.80	ACRES		SWX	SWX	1.90	ACRES
I		SEX	NWX	3.60	ACRES		SEX	SWX	1.70	ACRES
I		NEX	SWX	7.60	ACRES		NEX	SEX	4.80	ACRES
I		SEX	SWX	0.30	ACRE		NWX	SEX	16.40	ACRES
I		NEX	SEX	34.00	ACRES			S	ECTION 9	
l		NWY	SEY	20.00	ACRES		4	OWNS	ECTION 9 HIP 4 SOUT 13 EAST, W	T
		CM1/	CEL	0.00	ACDEC		DA	NCE	12 FACT W	M
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ı						•	SEX	SWX	0.20	ACRE
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ı	1 (011)0411	SE%	NE%	11.90	ACRES	3	TAM M	NEX	12.30	ACRES
ı	7.50	SW1/4	NW1/4	10.58	ACRES	3.0	SEX	NEX	1.00	ACRE
ı		NE1/4	SW1/4	0.90	ACRE		NEX	NWX	6.00	ACRES
		NE1/4	SE1/4	0.05	ACRE		INW1	NWX	3.24	ACRES
		NW1/4	SE1/4	0.90 0.05 0.45 0.30	ACRE		SWX	NWX	1.00 6.00 3.24 1.30 2.80	ACRES
I		SWY	SEY	0.30	ACRE		SEY	NWY	2.80	ACRES
ı		SEV	SEY	0.20	ACRE		/-	S	ECTION 12	
l		מבט	00%	SECTION 1	ricita			0.	BCIION IZ	
ŀ			-	ECTION I			ATTAT1/	NIE1/	4 00	ACDEC
ı	ļ	OTT /	377.77	0 00	3 000 00		TAMA	MEX	4.00 14.00	ACRES
		SWA	NW.76	8.20	ACRES		MMM	MAX.	14.00	ACRES
١		SEX	NWX	27.30 8.40	ACRES			S.	ECTION 13	
Į		NEX	SWX	8.40	ACRES					
l		SW1	SWX	3.60	ACRES		NE X	NW.	4.00	ACRES
l		NEX	SEX	3.60 9.24	ACRES		NWX	NWX	4.00 5.24	ACRES
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ı										
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l		CE1/	NE1/	2.90 8.00	ACICEO		MEN	411176	ECTION 17	ACRES
ŀ		ME1/	PATE A	0.00	ACRES			5.	ECTION I/	
l		MEN	WWW.	0.70 5.86	ACRE					
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l			2	SECTION 3				S	ECTION 18	
l							7	COWNS	ECTION 18 SHIP 4 SOUT 12 EAST, W	TH,
		SWX	NWX	2.50 8.28	ACRES		RA	MGE	12 EAST, W	V.M.
l		SEX	NWX	8.28	ACRES					
l			5	SECTION 4			SWX	SWX	0.20	ACRE
1								5	SECTION 5	
		SEY	NW¥	4.62	ACRES					
-		- /1		SECTION 5			SWV	NWL	4.60	ACRES
							NEL	CM1/	4.00	ACPEC
I		NTL-TT.	RTGT1	3.50	ACDEC		PATE A	CIVIL	4.00	ACRES
1		CHIA!	CALLY.	3.50	ACRES		MAN	SWX	4.60	ACRES
1		SEX		3.78			SWX	SEX	1.80	ACRES
l			5	SECTION 7			SEX		4.30	ACRES
l								5	SECTION 6	
l		SEX	SWX	2.80	ACRES					
				SECTION 8			NEY	NEY	9.80 10.00 1.00	ACRES
l							NWY	NEV	10.00	ACRES
ļ		NEW	SEV	0.30	ACRE		SWY	NWW	1 00	ACRES
l		NWI	SEV	0.60	ACRE		DITA	4111/4	SECTION 7	ACRES
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1		NWX	SWX	0.10	ACRE					
I		SWX	SWX	0.10 4.50 6.00	ACRES		NWX	SWX	3.50	ACRES
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### SUPPLEMENTAL - STREAM AND RESERVOIR

SW% SE% 1.00 ACRE SEX SWX 21.40 ACRES SECTION 9 SECTION 12 SWX NEX 6.00 ACRES NEX NWX 20.00 ACRES SECTION 13 SEX NEX 4.60 ACRES 4.60 ACRES NEX SEX TOWNSHIP 4 SOUTH, RANGE 12 EAST, W.M. SECTION 10 NW% NE% 5.00 ACRES 10.00 ACRES NEX NWX NWX NWX 6.20 ACRES SWX NWX 3.00 ACRES NW% SW% 13.50 ACRES SEX SWX 4.60 ACRES SECTION 11

This certificate describes that portion of the water right confirmed by Certificate 46368, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 29, 1979, approving Transfer 4314, entered April 22, 1981, approving Transfer 4704, entered January 19, 1982, approving Transfer 4800, entered June 14, 1985, approving Transfer 5551, entered June 14, 1985, approving Transfer 5553, and entered \_\_\_\_\_\_\_\_, approving Transfer Application 8215.

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.

WITNESS the signature of the Water Resources Director,

affixed \_\_\_\_\_ JUN 04 1999

/S/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76223.

T-8215.LHN

1-9990

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 a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 982.8 ACRES.

This right was perfected under Permit 22633. The date of priority is APRIL 12, 1941 for 11.96 cfs, and MARCH 20, 1951 for 12.61 cfs. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 24.57 CUBIC FOOT 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% SW%, SECTION 16, T 3 S, R 10 E, WM, and NE% SW%, SECTION 29, T 3 S, R 11 E, WM.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773.

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:

		T	STOWNS	0.5 ECTION 12 SHIP 4 SOU 11 EAST,	TH,		SEX NEX NWX	NEX NEX NWX NWX SEX	18.0 13.2	ACRES ACRES ACRES ACRES
1		NWX	NE%	16.2	ACRES		SWX	NEX	14.8	ACRES
ı	Rensia	SWX	NEX	19.0	ACRES	Transfer	SE14	SEX	16.9	ACRES
١	Kemain	NE1/4	NW1/4	0.6	ACRE/	14 001 121	1	S	ECTION 3	
ı	0.6	SW1/4	NW1/4	1.2	ACRES	0.6				
ı	17.1	SE14	NW1/4	22.0	ACRES	4.9	NE1	NEX	5.4	ACRES
l		SE%	SW1/4	19.6	ACRES				25.4	
ı	THE	NE1/4	SEX	10.0	ACRES	~ NICES			6.0	
ı	( 1	NWX	SEX	19.4	ACRES	-0.01 Jul	SE14	SWX	7.8	ACRES
			S	SECTION 1		-0.07 cfs (priority 4-12-41)		S	ECTION 4	
1		SEX	NEX	1.0	ACRE	- 17 fs	NE1/4	NW%	1.9	ACRES
1		NEX	SWX	7.0	ACRES	-0.67 cfs (priority 3-20-51)	NW1/4	NWX	0.2	ACRES
Ì		NWX	SWX	13.3	ACRES	(mirity 3-20-51)				ACRES
I		SWX	SWX	21.9	ACRES	Priority -				ACRES
1		NEX	SEX	0.6	ACRES		NEX	SWX	3.6	ACRES
ı		SWX	SEX	1.5	ACRES		NWX	SWX	2.9	ACRES
١		SEX		29.4	ACRES	\ /	SWX	SWX	13.2	ACRES
ı			S	SECTION 2		\	SEX	SWX	3.8	ACRES
١								S	ECTION 5	

T-9990

Cert 76222

NWX	NW% 17.7	ACRES ACRES ACRES	NEW	NE%	10.0	ACRES
SWX	NW% 3.2 NW% 0.9 SE% 13.9 SE% 7.1 SE% 9.0	ACRES	NWY	NEY	25.0	ACRES
SEX	NW¥ 0.9	ACRES		SE	CTTON 16	
NEY	SE¥ 13.9	ACRES		02	1011 10	
MWL	SEN 7 1	ACREC	NTGT1/	ATTEM!	F 0	3.0000
CPI	CEN 0.0	ACRES ACRES ACRES ACRES	TAMA	NEX	5.0	ACRES
SEM	SE% 9.0	ACRES	I/W/	MM%	7.0	ACRES
	SECTION 7			SE	CTION 17	
NEX	SW% 8.8	ACRES	NEX	NEX	2.5	ACRES
NWX	SW% 8.4	ACRES		SE	CTION 18	
SWX	SW1 10.0	ACRES	7	COWNS	HTP 4 SOU	ידידי
SEY	SW1 4.0	ACRES	RZ	NGE	12 EAST	WM
SWY	SEW 5.0	ACRES	***		IL DAUI,	** . 1-1 .
J.1.74	SECTION 8	notedo	ME1/	CWI	7 4	ACDEC
	DECITOR 0		MEN	CMI	7.4	ACRES
NTE-1/	NTM1/ 4 0	3 CD TC	TAMM?	SWX	20.0	ACRES
MEN	NW74 4.0	ACRES	SEX	SWX	11.5	ACRES
KWM	NW% 4.0	ACRES	NW%	SEX	4.0	ACRES
SEX	NW% 4.0	ACRES	SWX	SEX	8.6	ACRES
SEX	SE% 10.1	ACRES		S	ECTION 5	
	SECTION 9					
			NEX	SWX	20.6	ACRES
NE X	NE% 6.6	ACRES	NWX	SWX	10.0	ACRES
NWX	NE% 3.2	ACRES	SEX	SWX	37.0	ACRES
SEX	NE% 11.7	ACRES	SWX	SEY	20.0	ACRES
	SECTION 10	ACRES ACRES ACRES		S	ECTION 6	***************************************
NEX	NE% 17.8	ACRES	NWX	NEY	20.0	ACRES
NWX	NE% 7.8	ACRES	SW1	NEY	25.3	ACRES
SWX	NE% 0.7	ACRE	SEY	NEY	18.0	ACRES
SEY	NEW 26.6	ACRES	NWY	MMY	20.0	ACDEC
NEY	NW¥ 7.1	ACRES	CMI	NTW1/	0 5	ACRES
MWL	NIWIA 2 0	ACREC	CEL	NTOTAL	11 0	ACRES
CEL	NWW 2.5	ACRES	OF 74	DAMA!	11.0	ACRES
SEA	CECUTON 11	ACRES	SW%	SWX	5.0	ACRES
	SECTION II		SEX	SWX	4.4	ACRES
			NEX	SEX	8.0	ACRES
NEX	NE% 20.0	ACRES	NW%	SEX	2.8	ACRES
SEX	NE% 5.0	ACRES		S	ECTION 7	
NE X	NW% 5.0	ACRES				
SEX	SW¥ 2.1	ACRES	NEX	NWX	20.0	ACRES
	SECTION 12		SWX	NWX	22.8	ACRES
			SEX	NWX	7.6	ACRES
NEX	NE% 5.0	ACRES	NEY	SWY	5.0	ACRES
NWX	NE% 4.0	ACRES		C	ECTION 9	
	SECTION 13				LCIION 0	
	DEV. 1011 1.	ACRES	NEL	CW1/	6 3	ACDEC
NEY	NW¥ 8 4	ACRES	CE1/	CMI	7.0	ACREC
	SECTION 15		357	SHA	POTTON O	ACRES
	DECITOR 13			COLUMN	ECTION 9	71717 7
			-	LOWINS	12 73 600	IH,
			R	ANGE	13 EAST,	W.M.

This certificate describes that portion of the water right confirmed by Certificate 46531, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 27, 1979, approving Transfer 4312, and entered proving Transfer Application 8215.

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.

WITNESS the signature of the Water Resources

Director, affixed \_\_\_\_\_\_JUN 04 1999 .

/S/ Tom Paul (frr)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76222. T-8215.LHN

# STATE OF OREGON

CERTIFICATE OF WATER RIGHT

COUNTY OF WASCO

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC.

of Route 1, Box 27, Tygh Valley , State of Oregon 97063, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Three Mile Creek and Pine Hollow Reservoir, constructed under Permit R-6368

a tributary of White River supplemental irrigation of 3,435.5 acres

for the purpose of

under Permit No. 39616 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 1, 1975

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 NW 1/4, Section 11, T4S, R1LE, WM; Three Mile Creek - 1,530 feet South and 4,580 feet West from NE Corner, Section 11

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

3550.º AF (+) 3435.5 AC = 1.033328482 AF/AC > 1.033AF/AC

Transfer: 11.5 AC (x) 1.033AF = 11.8795 AF > 11.88 AF > Transfer

Remain: 3424.0 AC (x) 1.03378 AF = 3526.72 AF - Too Low

3424.0 AC (x) 1.033328482 AF = 3538.116722

Remain: 3538. 12 AF

Cert 51487

T-9990

T-8080

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17.2 acres NE 1/4 NW 1/4
Acres of land to receive benefit by a
                                                24.8 acres NW 1/4 NW 1/4
water exchange
                                                         Section 15
        0.8 acre NE 1/4 NE 1/4
       6.0 acres NW 1/4 NE 1/4
                                               30.8 acres NE 1/4 NE 1/4
                                           32.0 acres NW 1/4 NE 1/4
1.0 acre NE 1/4 NW 1/4
               Section 12
  Township 4 South, Range 11 East, WM
                                                        Section 16
       22.4 acres NW 1/4 NE 1/4
                                               6.4 acres NW 1/4 NE 1/4
7.4 acres NE 1/4 NW 1/4
       38.8 acres SW 1/4 NE 1/4
       38.8 acres NE 1/4 NW 1/4
                                              12.0 acres NW 1/4 NW 1/4
       23.2 acres NW 1/4 NW 1/4
                Section 3
                                                         Section 17
                                               14.8 acres NE 1/4 NE 1/4
       14.4 acres NE 1/4 NE 1/4
       26.4 acres NW 1/4 NE 1/4
                                            2.8 acres NW 1/4 NE 1/4
       14.3 acres NE 1/4 NW 1/4
                                                         Section 18
                                          Township 4 South, Range 12 East, WM
       10.4 acres SW 1/4 NW 1/4
       25.2 acres SE 1/4 NW 1/4
       11.7 acres SW 1/4 SW 1/4
                                                4.0 acres SW 1/4 SW 1/4
       10.4 acres SE 1/4 SW 1/4
                                                 4.5 acres SW 1/4 SE 1/4
               Section 4
                                                 7.9 acres SE 1/4 SE 1/4
                                                        Section 33
       10.8 acres NE 1/4 NE 1/4
        3.4 acres NW 1/4 NE 1/4
                                                 3.6 acres SW 1/4 SW 1/4
        1.9 acres NE 1/4 NW 1/4
                                                 0.2 acre SE 1/4 SW 1/4
                                  Section 34
Township 3 South, Range 12 East, WM;
       0.2 acre NW 1/4 NW 1/4
        2.9 acre SW 1/4 NW 1/4
       16.3 acres SE 1/4 NW 1/4
                                  Acres of land direct from Pine Hollow
Reservoir
        3.6 acres NE 1/4 SW 1/4
        2.9 acres NW 1/4 SW 1/4
       13.2 acres SW 1/4 SW 1/4
                                                 2.6 acres NE 1/4 NE 1/4
        3.8 acres SE 1/4 SW 1/4
                                                 16.2 acres NW 1/4 NE 1/4
                Section 5
                                                 37.6 acres SW 1/4 NE 1/4
       31.05 acres NW 1/4 NW 1/4 Transfer 31.0 acres SE 1/4 NE 1/4 Remain
       10.4 acres SW 1/4 NW 1/4
                                               14.7 acres SW 1/4 NW 1/4
                                                 37.2 acres SE 1/4 NW 1/4
        1.4 acres SE 1/4 NW 1/4
       12.0 acres NE 1/4 SW 1/4
                                                22.8 acres NE 1/4 SW 1/4
                                               8.0 acres NW 1/4 SW 1/4
0.5 acre SW 1/4 SW 1/4
24.8 acres SE 1/4 SW 1/4
39.4 acres NE 1/4 SE 1/4
       13.9 acres NE 1/4 SE 1/4
        7.1 acres NW 1/4 SE 1/4
7.2 acres SW 1/4 SE 1/4
       38.8 acres SE 1/4 SE 1/4
                Section 7
                                                37.6 acres NW 1/4 SE 1/4
                                                39.6 acres SW 1/4 SE 1/4
       16.4 acres NE 1/4 SW 1/4
                                                40.0 acres SE 1/4 SE 1/4
       15.2 acres NW 1/4 SW 1/4
                                                         Section 1
       38.2 acres SW 1/4 SW 1/4
       19.8 acres SE 1/4 SW 1/4
                                               1.0 acre SE 1/4 NE 1/4
2.0 acres NE 1/4 NW 1/4
       32.0 acres NE 1/4 SE 1/4
                                             12.4 acres NW 1/4 NW 1/4
35.6 acres SW 1/4 NW 1/4
       24.8 acres NW 1/4 SE 1/4
       15.7 acres SW 1/4 SE 1/4
        0.5 acre SE 1/4 SE 1/4
                                                34.4 acres SE 1/4 NW 1/4
                Section 8
                                                39.1 acres NE 1/4 SW 1/4
                                                27.2 acres NW 1/4 SW 1/4
       23.7 acres SW 1/4 NE 1/4
                                               25.5 acres SW 1/4 SW 1/4
                                                17.2 acres SE 1/4 SW 1/4
39.4 acres NE 1/4 SE 1/4
       35.5 acres NE 1/4 NW 1/4
       30.5 acres NW 1/4 NW 1/4
       8.2 acres SW 1/4 NW 1/4
                                                38.9 acres NW 1/4 SE 1/4
       15.1 acres SE 1/4 NW 1/4
                                                13.7 acres SW 1/4 SE 1/4
       39.1 acres NE 1/4 SW 1/4
                                                38.6 acres SE 1/4 SE 1/4
                                                     Section 2
       24.4 acres NW 1/4 SW 1/4
       34.7 acres NW 1/4 SE 1/4
       34.8 acres SW 1/4 SE 1/4
                                                36.2 acres SE 1/4 NE 1/4
       35.2 acres SE 1/4 SE 1/4
                                                36.6 acres NE 1/4 SE 1/4
                Section 9
                                               27.8 acres NW 1/4 SE 1/4
                                                 8.8 acres SW 1/4 SE 1/4
       39.7 acres SW 1/4 NE 1/4
                                                28.8 acres SE 1/4 SE 1/4
       20.2 acres SE 1/4 NE 1/4
                                                         Section 3
       40.6 acres NE 1/4 SE 1/4
       40.6 acres NW 1/4 SE 1/4
                                               18.2 acres NE 1/4 NE 1/4
                Section 10
                                                 3.2 acres NW 1/4 NE 1/4
                                                         Section 10
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17.8 acres NE 1/4 NE 1/4	12.4 acres NE 1/4 NE 1/4
23.4 acres NW 1/4 NE 1/4	Section 14
2.8 acres SW 1/4 NE 1/4	Township 4 South, Range 12 East, WM
26.8 acres SE 1/4 NE 1/4	,,
37.6 acres NE 1/4 NW 1/4	9.2 acres SW 1/4 NW 1/4
14.4 acres NW 1/4 NW 1/4	1.7 acres SE 1/4 NW 1/4
21.2 acres SW 1/4 NW 1/4	34.5 acres NE 1/4 SW 1/4
19.0 acres SE 1/4 NW 1/4	37.9 acres NW 1/4 SW 1/4
31.6 acres NE 1/4 SW 1/4	38.0 acres SW 1/4 SW 1/4
40.6 acres NW 1/4 SW 1/4	37.6 acres SE 1/4 SW 1/4
24.0 acres SW 1/4 SW 1/4	28.8 acres NE 1/4 SE 1/4
22.8 acres SE 1/4 SW 1/4	38.9 acres NW 1/4 SE 1/4
18.8 acres NE 1/4 SE 1/4	40.0 acres SW 1/4 SE 1/4
17.0 acres NW 1/4 SE 1/4	39.2 acres SE 1/4 SE 1/4
8.3 acres SW 1/4 SE 1/4	Section 6
12.8 acres SE 1/4 SE 1/4	
Section 11	39.4 acres NE 1/4 NE 1/4
	39.7 acres NW 1/4 NE 1/4
38.5 acres NE 1/4 NE 1/4	37.3 acres SW 1/4 NE 1/4
36.0 acres NW 1/4 NE 1/4	33.3 acres SE 1/4 NE 1/4
24.8 acres SW 1/4 NE 1/4	38.2 acres NE 1/4 NW 1/4
14.1 acres SE 1/4 NE 1/4	37.3 acres NW 1/4 NW 1/4
12.6 acres NE 1/4 NW 1/4	28.1 acres SW 1/4 NW 1/4
38.7 acres NW 1/4 NW 1/4	24.3 acres SE 1/4 NW 1/4
31.6 acres SW 1/4 NW 1/4	16.0 acres SW 1/4 SW 1/4
21.8 acres SE 1/4 NW 1/4	4.4 acres SE 1/4 SW 1/4
15.3 acres NW 1/4 SW 1/4	1.05 acres NW 1/4 SE 1/4
32.8 acres SW 1/4 SW 1/4	Section 7
37.2 acres SE 1/4 SW 1/4	0.2 come AMI 1/4 AMI 1/4
20.4 acres SW 1/4 SE 1/4 1.8 acres SE 1/4 SE 1/4	0.2 acre NW 1/4 NW 1/4 Section 18
Section 12	Township 4 South, Range 13 East, WM
Section 12	Township 4 South, Range 13 East, MM
31.2 acres NE 1/4 NE 1/4	
32.8 acres NW 1/4 NE 1/4	
37.6 acres NE 1/4 NW 1/4	
28.0 acres NW 1/4 NW 1/4	
Section 13	

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

### Under Exchange

0.9 acre NE 1/4 NW 1/4 0.1 acre NW 1/4 NW 1/4 Section 4 Township 4 South, Range 12 East, WM

### Direct from Reservoir

21.1 acres SE 1/4 NE 1/4
2.5 acres NE 1/4 SE 1/4
Section 12
Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4 Section 7 Township 4 South, Range 13 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. February 24, 1983

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51487 9649A

T-9990

Permit A-2-2M-5/77

1-1990

# STATE OF OREGON

COUNTY OF

WASCO

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC. & DEPARTMENT OF FISH & WILDLIFE

of Route 1, Box 27, Tygh Valley , State of Oregon 97063 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Pine Hollow Reservoir constructed under Permit R-5250

a tributary of White River for the purpose of irrigation of 0.6 acre, supplemental irrigation of 3,434.9 acres and recreation

under Permit No. 33228 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 23, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only for irrigation and 15.0 cubic feet per second from Badger Creek for recreation

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the  $$\rm NE\ 1/4\ SW\ 1/4\ ,$  Section 29, T3S, R1LE, WM; Badger Creek - 1,290 feet South and 550 feet West from C 1/4 Corner, Section 29; NE 1/4 NW 1/4, Section 10, T4S, R12E, WM; Pine Hollow Reservoir - 700 feet South and 1,930 feet East from NW Corner, Section 10

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

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

\*lands use water diverted for the lower lands entitled thereto and replace it in a like amount from the reservoir authorized under Permit R-5250.

SEE NEXT PAGE

3550 AF (+) 3435. 5 AC = 1.033328482 AF/AC - 11.89AF - 11.9AF

Transfer: 11.5 AC (x) 1.033328482=11.88327754AF Too Low

Remain: 3424.0 AC (x) 1.03AF=3526.72AF Too Low

3424.0 AC (x) 1.033328482 AF = 3538.116722

Remain: 3538, - AF

Cert 51486

T-8080

page two

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Acres of land to receive benefit by a
                                                17.2 acres NE 1/4 NW 1/4
water exchange
                                                24.8 acres NW 1/4 NW 1/4
                                                        Section 15
    0.8 acre NE 1/4 NE 1/4
    6.0 acres NW 1/4 NE 1/4
                                               30.8 acres NE 1/4 NE 1/4
                                               32.0 acres NW 1/4 NE 1/4
              Section 12
                                               1.0 acre NE 1/4 NW 1/4
   Township 4 South, Range 11 East, WM
                                                        Section 16
   22.4 acres NW 1/4 NE 1/4
   38.8 acres SW 1/4 NE 1/4
                                                6.4 acres NW 1/4 NE 1/4
7.4 acres NE 1/4 NW 1/4
   38.8 acres NE 1/4 NW 1/4
   23.2 acres NW 1/4 NW 1/4
                                               12.0 acres NW 1/4 NW 1/4
               Section 3
                                                        Section 17
   14.4 acres NE 1/4 NE 1/4
                                               14.8 acres NE 1/4 NE 1/4
   26.4 acres NW 1/4 NE 1/4
                                                2.8 acres NW 1/4 NE 1/4
   14.3 acres NE 1/4 NW 1/4
                                                        Section 18
   10.4 acres SW 1/4 NW 1/4
                                          Township 4 South, Range 12 East, WM
   25.2 acres SE 1/4 NW 1/4
   11.7 acres SW 1/4 SW 1/4
   10.4 acres SE 1/4 SW 1/4
                                                4.0 acres SW 1/4 SW 1/4
               Section 4
                                                4.5 acres SW 1/4 SE 1/4
                                                7.9 acres SE 1/4 SE 1/4
   10.8 acres NE 1/4 NE 1/4
                                                        Section 33
    3.4 acres NW 1/4 NE 1/4
                                                 3.6 acres SW 1/4 SW 1/4
0.2 acre SE 1/4 SW 1/4
    1.9 acres NE 1/4 NW 1/4
    0.2 acre NW 1/4 NW 1/4
    2.9 acre SW 1/4 NW 1/4
                                                        Section 34
   16.3 acres SE 1/4 NW 1/4
                                           Township 3 South, Range 12 East, WM;
    3.6 acres NE 1/4 SW 1/4
    2.9 acres NW 1/4 SW 1/4
                                     Acres of land direct from Pine Hollow
   13.2 acres SW 1/4 SW 1/4
                                     Reservoir
    3.8 acres SE 1/4 SW 1/4
                                                2.6 acres NE 1/4 NE 1/4
                Section 5
                                                16.2 acres NW 1/4 NE 1/4
                                               37.6 acres SW 1/4 NE 1/4
                                 Transfer 131.0 acres SE 1/4 NE 1/4
   31.05 acres NW 1/4 NW 1/4
                                                                           Kemain
   10.4 acres SW 1/4 NW 1/4
                                                9.4 acres NE 1/4 NW 1/4
    1.4 acres SE 1/4 NW 1/4
                                                14.7 acres SW 1/4 NW 1/4
   12.0 acres NE 1/4 SW 1/4
                                               37.2 acres SE 1/4 NW 1/4
   13.9 acres NE 1/4 SE 1/4
                                                22.8 acres NE 1/4 SW 1/4
    7.1 acres NW 1/4 SE 1/4
7.2 acres SW 1/4 SE 1/4
                                               8.0 acres NW 1/4 SW 1/4
0.5 acre SW 1/4 SW 1/4
   38.8 acres SE 1/4 SE 1/4
                                               24.8 acres SE 1/4 SW 1/4
               Section 7
                                                39.4 acres NE 1/4 SE 1/4
                                                37.6 acres NW 1/4 SE 1/4
   16.4 acres NE 1/4 SW 1/4
                                               39.6 acres SW 1/4 SE 1/4
   15.2 acres NW 1/4 SW 1/4
                                               40.0 acres SE 1/4 SE 1/4
   38.2 acres SW 1/4 SW 1/4
                                                         Section 1
   19.8 acres SE 1/4 SW 1/4
   32.0 acres NE 1/4 SE 1/4
                                               1.0 acre SE 1/4 NE 1/4
   24.8 acres NW 1/4 SE 1/4
                                               2.0 acres NE 1/4 NW 1/4
   15.7 acres SW 1/4 SE 1/4
0.5 acre SE 1/4 SE 1/4
                                                12.4 acres NW 1/4 NW 1/4
                                               35.6 acres SW 1/4 NW 1/4
               Section 8
                                               34.4 acres SE 1/4 NW 1/4
                                               39.1 acres NE 1/4 SW 1/4
   23.7 acres SW 1/4 NE 1/4
                                                27.2 acres NW 1/4 SW 1/4
   35.5 acres NE 1/4 NW 1/4
                                             25.5 acres SW 1/4 SW 1/4
   30.5 acres NW 1/4 NW 1/4
                                               17.2 acres SE 1/4 SW 1/4
    8.2 acres SW 1/4 NW 1/4
                                               39.4 acres NE 1/4 SE 1/4
    15.1 acres SE 1/4 NW 1/4
                                                38.9 acres NW 1/4 SE 1/4
   39.1 acres NE 1/4 SW 1/4
                                               13.7 acres SW 1/4 SE 1/4
   24.4 acres NW 1/4 SW 1/4
                                               38.6 acres SE 1/4 SE 1/4
   34.7 acres NW 1/4 SE 1/4
                                                         Section 2
   34.8 acres SW 1/4 SE 1/4
   35.2 acres SE 1/4 SE 1/4
                                               36.2 acres SE 1/4 NE 1/4
               Section 9
                                                36.6 acres NE 1/4 SE 1/4
                                                27.8 acres NW 1/4 SE 1/4
   39.7 acres SW 1/4 NE 1/4
                                                8.8 acres SW 1/4 SE 1/4
   20.2 acres SE 1/4 NE 1/4
                                                28.8 acres SE 1/4 SE 1/4
   40.6 acres NE 1/4 SE 1/4
                                                         Section 3
   40.6 acres NW 1/4 SE 1/4
               Section 10
                                               18.2 acres NE 1/4 NE 1/4
                                                 3.2 acres NW 1/4 NE 1/4
```

Section 10

17.8 acres NE 1/4 NE 1/4 23.4 acres NW 1/4 NE 1/4 2.8 acres SW 1/4 NE 1/4 26.8 acres SE 1/4 NE 1/4 37.6 acres NE 1/4 NW 1/4 14.4 acres NW 1/4 NW 1/4 21.2 acres SW 1/4 NW 1/4 19.0 acres SE 1/4 NW 1/4 31.6 acres NE 1/4 SW 1/4 40.6 acres NW 1/4 SW 1/4 24.0 acres SW 1/4 SW 1/4 22.8 acres SE 1/4 SW 1/4 18.8 acres NE 1/4 SE 1/4 17.0 acres NW 1/4 SE 1/4 8.3 acres SW 1/4 SE 1/4 12.8 acres SE 1/4 SE 1/4 Section 11 38.5 acres NE 1/4 NE 1/4 36.0 acres NW 1/4 NE 1/4 24.8 acres SW 1/4 NE 1/4 13.5 acres SE 1/4 NE 1/4

36.0 acres NW 1/4 NE 1/4
24.8 acres SW 1/4 NE 1/4
13.5 acres SE 1/4 NE 1/4
12.6 acres NE 1/4 NW 1/4
38.7 acres NW 1/4 NW 1/4
31.6 acres SW 1/4 NW 1/4
21.8 acres SE 1/4 NW 1/4
15.3 acres NW 1/4 SW 1/4
32.8 acres SW 1/4 SW 1/4
37.2 acres SE 1/4 SW 1/4
20.4 acres SW 1/4 SE 1/4
1.8 acres SE 1/4 SE 1/4
Section 12

31.2 acres NE 1/4 NE 1/4
32.8 acres NW 1/4 NE 1/4
37.6 acres NE 1/4 NW 1/4
28.0 acres NW 1/4 NW 1/4
Section 13
Township 4 South, Range 12 East, WM

RECREATION S 1/2 NW 1/4 SW 1/4 SW 1/4 SE 1/4 Section 3 SE 1/4 SE 1/4 S 1/2 NE 1/4 N 1/2 SE 1/4 Section 4 NW 1/4 NE 1/4
N 1/2 NW 1/4
Section 10
Township 4 South, Range 12 East, WM

12.4 acres NE 1/4 NE 1/4 Section 14 Township 4 South, Range 12 East, WM

9.2 acres SW 1/4 NW 1/4
1.7 acres SE 1/4 NW 1/4
34.5 acres NE 1/4 SW 1/4
37.9 acres NW 1/4 SW 1/4
38.0 acres SW 1/4 SW 1/4
37.6 acres SE 1/4 SW 1/4
28.8 acres NE 1/4 SE 1/4
38.9 acres NW 1/4 SE 1/4
40.0 acres SW 1/4 SE 1/4
39.2 acres SE 1/4 SE 1/4
Section 6

39.4 acres NE 1/4 NE 1/4
39.7 acres NW 1/4 NE 1/4
37.3 acres SW 1/4 NE 1/4
33.3 acres SE 1/4 NE 1/4
38.2 acres NE 1/4 NW 1/4
37.3 acres NW 1/4 NW 1/4
28.1 acres SW 1/4 NW 1/4
24.3 acres SE 1/4 NW 1/4
16.0 acres SW 1/4 SW 1/4
4.4 acres SE 1/4 SW 1/4
1.05 acres NW 1/4 SE 1/4
Section 7

0.2 acre NW 1/4 NW 1/4
Section 18
Township 4 South, Range 13 East, WM

### PRIMARY IRRIGATION

0.6 acres SE 1/4 NE 1/4
Section 12
Township 4 South, Range 12 East, WM

page four

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

Under Exchange

0.9 acre NE 1/4 NW 1/4
0.1 acre NW 1/4 NW 1/4
Section 4
Township 4 South, Range 12 East, WM

Direct from Reservoir

21.1 acres SE 1/4 NE 1/4
2.5 acres NE 1/4 SE 1/4
Section 12
Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4 Section 7 Township 4 South, Range 13 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed this date. February 24, 1983

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51486 6658A

### STATE OF OREGON

# COUNTY OF WASCO

### CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

4.83 cfs (+) 386.25 AC= 0.012504854 -> 0.013

BADGER IMPROVEMENT DISTRICT Transfer = 0.4 Ac (1) -0.005 = 0.005 cfs

80309 ROSS ROAD

TYGH VALLEY, OR

97063 Romain = 385,85 Ac (x) Giot3 = 4,823125 - 4.825

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:

SW4 NE4, SECTION 32, T 3 S, R 11 E, WM; HIGHLAND DITCH -N 65° 21' W, 1938.2 FEET FROM THE E¼ 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:

SW4 SE4 4.50 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

Certificate Number 80637

 NE¼
 0.30 ACRE

 NW¼
 NE¼

 SW¼
 NE¼

 6.00 ACRES

SECTION 12

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

TOWNSHIP 4	SOUTH, RANGE 11 EAST, W.M.
Pamaia 1	
	NE4 8.90 ACRES Iranster
7.25 SW4	NW4 7.65 ACRES 0.4
NE <sup>1</sup> 4	SE¼ 0.05 ACRE
4.825 cfs NW14	SE¼ 5.70 ACRES
4 865 G	SE <sup>1</sup> 4 5.70 ACRES 0.005 cfs
SE	SE¼ 1.20 ACRES
	SECTION 1
SFL	NE⅓ 0.25 ACRE
	NW⅓ 27.30 ACRES
	SW4 8.40 ACRES
	SW4 3.60 ACRES
NE*4	SE4 13.10 ACRES
	SECTION 2
	NE⅓ 10.50 ACRES
	SE4 16.00 ACRES
SE <sup>1</sup> 4	SE⅓ 2.00 ACRES
	SECTION 3
NE <sup>1</sup> 4	NE 13.50 ACRES
NW <sup>1</sup> 4	NE⅓ 3.50 ACRES
	SECTION 5
NW	NW4 3.50 ACRES
SWI	NW4 7.20 ACRES
SEY	NW 7.20 ACRES NW 2,30 ACRES
NEW	SW4 12.00 ACRES
	SECTION 7/
	123.7.15
SEL	*SWENTHEDRICZ 80 ACRES
NEX	SE 2 00 ACRES
MML	SET * 20+80 ACRES
. All.	CECTTAN 8
	1859
NEL	NW <sup>1</sup> 4 8.00 ACRES
NEA	SECTION 9
	SECTION 9
NIAL	NE¼ 1.60 ACRES
	NW4 7.90 ACRES
	NW4 4.20 ACRES
	SW4 10.10 ACRES
SW4	SW4 7.50 ACRES

SECTION 11

 NW4 NE4
 13.00 ACRES

 SW4 NE4
 4.20 ACRES

 NW4 NW4
 18.00 ACRES

 SW4 NW4
 5.50 ACRES

 SECTION 12

NE¼ NW¼ 4.00 ACRES NW¼ NW¼ 12.50 ACRES SECTION 15

NW⅓ SW⅓ 2.00 ACRES SECTION 16

NE% NW% 4.20 ACRES NE% SE% 11.00 ACRES SECTION 17

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

SW4 SW4 11.20 ACRES
SE4 SW4 3.00 ACRES
SECTION 5

 SW4 NW4
 4.60 ACRES

 NE4 SW4
 4.00 ACRES

 NW4 SW4
 4.60 ACRES

 SW4 SE4
 1.80 ACRES

 SE4 SE4
 8.30 ACRES

 SECTION 6

NEW NEW 3.00 ACRES
SEW NEW 11.00 ACRES
SECTION 7

NW4 SW4 3.50 ACRES SW4 SW4 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 Mater 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 Cleary, Director Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

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.

Badger Cr. - Primary IR

11.86 cfs (2) 478.3 = 0.024796153 cfs STATE OF OREGON 11.72 cfs (2) 650.72=0.018010819 cfs Ac

Bodger Lake Res + Supp

: 5.3 k(x)0.024796153 = 0. 131419611 COUNTY OF WASCO Transfer: 3,0 Ack) 0.018610819 = 0.054032456)

Remain: 473 (x)0,024796153= 11.72858037) CERTIFICATE OF WATER RIGHT

Remain: 647.72 (x) 0.018010819= 11.6659

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT

TYGH VALLEY, OREGON 97063 473.

confirms the right to the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 478.3 ACRES AND SUPPLEMENTAL IRRIGATION of 650.72 ACRES, DOMESTIC AND STOCK USE.

This right was perfected under Permit 15165. The date of priority is OCTOBER 21, 1929. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 23.72 CUBIC FEET PER SECOND (cfs), being 11.86 cfs from Badger Creek for irrigation, 11.72 cfs from Badger Lake Reservoir for supplemental irrigation, and 0.14 ofs from Badger Creek for domestic and stock use, or its equivalent in case of rotation, measured at the points of diversion from the source

The point of diversion is located as follows:

SW % NE %, SECTION 32, T 3 S R 14 E, W.M.

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 not to exceed one acre foot per acre during any 30 day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, the rate of flow shall not exceed ONE-FORTIETH of a second foot per acre up to July 1st of each year and thereafter not to exceed ONE-EIGHTIETH of a second

T-4313rr.JWG

Page 1

CERTIFICATE NUMBER 82086

foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

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:

## PRIMARY - BADGER CREEK

	SW	1/4	SW	₩ ECT	4.0 CION 33	ACRES		SE	1/4	SE	₩ ECT	20.0	ACRES	
	T	3	s,	R	12 E,	W.M.								
	SE	1/4	SE	*	15.0	ACRES						8.0 8 NOI?		
					TION 2									
	T	1	S,	R	11 E,	W.M.	20	NW	1/4	NW	1/4	5.0	ACRES	
7.05							R.R. 6.3 12.0	SW	1/4	SE	1/4	7.0	ACRES	
Trans,	SW	1/4	NE	1/4	15.0	ACRES	12	SE	1/4	SE	1/4	6.5	ACRES	
2.3	SW	1/4	NW	1/4	8.6	ACRES	6.5			S	ECI	CION 9		
3.0	SE	1/4	NM	1/4	15.0	ACRES	12.0							
	SW	1/4	SE	1/4	20.0	ACRES		SW	1/4	NE	1/4	5.3	ACRES	
- 3	SE	1/4	SE	1/4	30.0	ACRES		NE	1/4	SE	34	7.3	ACRES	
ofal S.			S	ECT	rion 1			NW	1/4	SE	*	10.6	ACRES	
										SI	ECT	ION 10		
					34.0	ACRES								
	SE	1/	SW	3/4	17.7	ACRES		NE	1/4	NW	3/4	10.0	ACRES	
	NE	*	SE	3/4	16.9	ACRES		SE	1/4	SW	1/4	6.0	ACRES	
					TION 2					SI	ECT:	ION 11		
	NW	1/4	NE	3/4	5.0	ACRES								
	SW	1/4	NE	3/4	20.0	ACRES		NW	1/4	NE	34	12.0	ACRES	
	SE	1/4	NE	1/4	8.0	<b>ACRES</b>		NE	1/4	NW	*	4.0	ACRES	
	NE	1/4	NW	1/4	15.7	ACRES				SE	CT:	ION 13		
	NE	14.	SE	3/6	8.0	ACRES								
	NW	1/4	SE	1/4	6.0	ACRES		NE	1/4	NE	*	2.5	ACRES	
	SE	*	SE	1/4	5.0	ACRES				SE	CT:	ION 18		
					CION 3			T	4	S,	Ŗ	12 F,	W.M.	
	SW	1/4	NW	1/4	2.5	ACRES						10.0		
	SE	3/4	NW	3/4	15.0	<b>ACRES</b>						10.0		
	SW	3/4	SW	1/4	11.7	ACRES						10.0		
			S	EC.	rion 4					S	ECT	ION 6		

SE 1/4 NW 1/4 15.0 ACRES SECTION 5 NE ¼ NE ¼ 14.2 ACRES NE % NW % 26.8 ACRES SECTION 7

NW ¼ NW ¼ 10.0 ACRES SE % NW % 5.0 ACRES SECTION 8 T 4 S, R 13 E, W.M.

# SUPPLEMENTAL - BADGER LAKE RESERVOIR

SW X SW X 4.00 ACRES SE % SE % 14.14 ACRES SECTION 33 T 3 S, R 12 E, W.M.

SE % SE % 10.38 ACRES SECTION 2

NW ¼ NE ¼ 8.00 ACRES SECTION 12 T 4 S, R 11 E, W.M.

SW 1/2 NE 1/2 15.00 ACRES RR SW 1/2 NW 1/2 11.52 ACRES 15.00 ACRES SE 1/4 NW 1/4 NW % SE % 5.35 ACRES

SW % SE % 28.00 ACRES SE % SE % 31.00 ACRES SECTION 1

SW % NW % 25.80 ACRES SE % SW % 14.14 ACRES NE % SE % 20.76 ACRES SECTION 2

NW 1/2 NE 1/4 5.00 ACRES SW % NE % 27.26 ACRES NE % NW % 15.00 ACRES NE % SE % 18.14 ACRES
NW % SE % 6.00 ACRES
SE % SE % 7.00 ACRES SECTION 3

SE % NW % 11.72 ACKES SECTION 4

NE % NE % 13.00 ACRES SE 1/4 NW 1/4 10.38 ACRES SECTION 5

SW 1/4 NW 1/4 7.00 ACRES SE 1/4 NW 1/4 2.00 ACRES

NE ¼ SW ¼ 8.95 ACRES SE 1/4 SE 1/4 16.22 ACRES SECTION 7

SW % SW % 8.00 ACRES NW % SE % 12.45 ACRES SECTION 8

NW % NW % 4.00 ACRES SW ¼ SE ¼ 7.00 ACRES SE % SE % 6.50 ACRES SECTION 9

SW 1/4 NE 1/4 5.33 ACRES SW 1/4 NE 1/4 NE 1/4 SE 1/4 7.00 ACRES NW 1/4 SE 1/4 10.00 ACRES SECTION 10

NE % NW % 17.00 ACRES NW % SW % 10.00 ACRES SW ¼ SW ¼ 3.00 ACRES SECTION 11

SW 14 NE 1/4 15.10 ACRES NW W NW % 14.76 ACRES SW % NW % 6.00 ACRES SE W NE % 7.50 ACRES NE X 2.50 ACRES 2.50 SECTION 12

NW % NE % 8.00 ACRES NE 1/4 NW 1/4 4.00 ACRES SECTION 13

NW % NW % 7.26 ACRES SECTION 15

NE % NE % 1.70 ACRES SECTION 18 T 4 S, R 12 E, W.M.

T-4313rr.JWG

Page 3 CERTIFICATE NUMBER 82086

SW	1/4	SW	1/4	11.00	ACRES		NE	1/4	NE	3/4	9.40	ACRES	
SE	3/4	SW	*	3.00	ACRES		NE	*	NW	1/4	26.80	ACRES	
SECTION 5							SECTION 7						
NE	*	SE	1/4	10.00	ACRES	-	NW	1/4	NW	3/4	20.00	ACRES	
NW	1/4	SE	1/4	10.00	ACRES		SE	3/4	NW	1/4	4.00	ACRES	
SE	3/4	SE	34	20.00	ACRES		SW	1/4	NE	1/4	28.66	ACRES	
		SE	CTIC	ON 6					S	EC:	8 NOIT		
							т	4	S	P	13 E. W	M	

This certificates describes that portion of the water right confirmed by Certificate 46532, Volume 39, State Record of Water Right certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 27, 1979, approving Transfer 4313.

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 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.

WITNESS the signature of the Water Resources Director, affixed May 23, 2006.

Phillip C. Ward, Director Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82086.

STATE OF OREGON

COUNTY OF

WASCO

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BADGER IMPROVEMENT DISTRIC

of Wamic Rural Station, Wamic , State of Oregon, 97063 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Badger Lake Reservoir constructed under Permit No. R-773

a tributary of White River ir ligation of 482.3 acres and supplemental irrigation of 654.72 acres

and stock use under Rermit No. 15165 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed day

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 24.0 cubic feet per second, being 12.06 c.f.s. from Badger Creek for ir 11.80 c.f.s. from Badger Lake Reservoir for supplemental irrigation; and

c.f.s. from Badger Creek for domestic and stock use.

or its equivalent in case of rotation, measured at the point of diversion from the str

The point of diversion is located in the SW4 NE4, Section 32, T. 3 S., R. 11 E., W.

is appurtenant, is as follows:

SEE NEXT PAGE

primary IR / 12.06 cfs (Badger dr.) for 482.3 Ac 12.06 (= A82.3 = 0.025005184 > 0.025 cfs AC

Transfer-Primary IR: 5.3 Ac (4) do25 = 0.1325 ->

ppi IR - 11.8 cfs (Budger L. Res) for 654.72 AC .8(+) 654.72 = 0.018022972 -> 0.018 cfs AC

Transfer- SupplIR: 3, = AC(X) 0.018 = 0.054.

Cert 4653

# PRIMARY-BADGER CREEK

Transfer of the second of the	1 to (a 1 1
1	
4.0 acres SW4 SW4	8.0 acres SW4 SW4
Section 33	Section 8
T. 3 S., R. 12 E., W. M.	
15.0 acres SE¼ SE¼	5.0 acres NW4 NW4
Section 2	7.0 acres SW4 SE4 6.5 acres SE4 SE4
T. 4 S., R. 11 E., W. M.	Section 9
Pameira 1 Tagiassa	
13.0 acres 3W4 NL4	5.3 acres SW4 NE4
6.3 8.6 acres SW4 NW4 2.3 15.0 acres SE4 NW4 3.0	7.3 acres NE¼ SE¼
12.0   15.0 acres St4 NW4 3.0	10.6 acres NW½ SE½ Section 10
30.0 acres SE <sup>1</sup> <sub>4</sub> SE <sup>1</sup> <sub>4</sub>	36001011 TO
Section 1	10.0 acres NE NW
24 O sense Cut, NUI.	6.0 acres SE4 SW4
34.0 acres SW4 NW4 17.7 acres SE4 SW4	Section 11
16.9 acres NEW SEW	12.0 acres NW4 NE4
Section 2	4.0 acres NE's NW's
	Section 13
34.0 acres SW4 NW4 17.7 acres SE4 SW4 16.9 acres NE4 SE4 Section 2  5.0 acres NW4 NE4 20.0 acres SW4 NE4 8.0 acres SE4 NE4 15.7 acres NE4 NW4	0.5
20.0 acres SW4 NE4 8.0 acres SE4 NE4	2.5 acres NE¼ NE¼ Section 18
	T. 4 S., R. 12 E., W. M.
4.0 acres SW1 NW1 T-4313 △POV +11	
8.0 acres NE's SE's	10.0 acres NE4 SE4
6.0 acres NW4 SE4 5.0 acres SE4 SE4	10.0 acres NW4 SE4
Section 3	10.0 acres SE¼ SE¼ Section 6
	Section 6
2.5 acres SW4 NW4	14.2 acres NE% NE%
15.0 acres SE¼ NW¼ 11.7 acres SW¼ SW¼	26.8 acres NE4 NW4
Section 4	Section 7
	10.0 acres NW1 NW1
15.0 acres SE½ NW½	5.0 acres SE NW4
Section 5	Section 8
20.0 acres SE½ SE½	T. 4 S., R. 13 E., W. M.
Section 7	
CUDDI EMENTAL DADOED LAK	E DECEDUATE
SUPPLEMENTAL-BADGER LAK	E KEZEKANIK
4.00 acres SW4 SW4	5.00 acres NW4 NE4
14.14 acres SE¼ SE¼	27.26 acres SW4 NE4
Section 33	15.00 acres NE½ NW¾
T. 3 S., R. 12 E., W. M.	4.00 acres SW4 NW4 T-4313 A POU +1/
10.38 acres SE¼ SE¼	18.14 acres NE½ SE½ 6.00 acres NW½ SE½
Section 2	7.00 acres SE½ SE½
Q CO seven Mills MEL	Section 3
8.00 acres NW4 NE4 Section 12	11 72 come CT1 NU
T. 4 S., R. 11 E., W. M.	11.72 acres SE¼ NW¼ Section 4
	36661011 4
Remain 15.00 acres SW4 NE4 Transfer	13.00 acres NE¼ NE¼
11.52 acres SW4 NW4 3.0	10.38 acres SE¼ NW¼
12.0 10.00 acres SE4 NW4 5E4	Section 5
28.00 acres SW4 SE4	7.00 acres SW4 NW4
31.00 acres SE¼ SE¼	2.00 acres SE¼ NW¼
Section 1	8.95 acres NE¼ SW¼
25.80 acres SW4 NW4	16.22 acres SE¼ SE¼ Section 7
14.14 acres SE¼ SW¾	36001011 /
20.76 acres NE½ SE½	8.00 acres SW4 SW4
Section 2	12.45 acres NW4 SE4
	Section 8

4.00 acres NW4 NW4 7.00 acres SWh SEh 6.50 acres SE4 SE4 Section 9 5.33 acres SW4 NE4 7.00 acres NE% SE% 10.00 acres NW4 SE4 Section 10 17.00 acres NE4 NW4 10.00 acres NW SW 3.00 acres SW4 SW4 Section 11 15.10 acres SW1 NE1 14.76 acres NW4 NW4 6.00 acres SW4 NW4 7.50 acres SE4 NE4 2.50 acres NE% SE% Section 12 8.00 acres NW4 NE4 4.00 acres NEW NWW

Section 13

application No. D-136.

7.26 acres NW4 NW4 Section 15 1.70 acres NE% NE% Section 18 T. 4 S., R. 12 E., W. M. 11.00 acres SW4 SW4 3.00 acres SE4 SW4 Section 5 10.00 acres NE4 SE4 10.00 acres NW4 SE4 20.00 acres SE4 SE4 Section 6 9.40 acres NE4 NE4 26.80 acres NE4 NW4 Section 7 20.00 acres NW4 NW4

4.00 acres SE% NW%

28.66 acres SW4 NE4

Section 8 T. 4 S., R. 13 E., W. M.

This certificate is issued to confirm a change in place of use as well as to describe that portion of the water right confirmed by the prior certificate recorded on page 20243, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water

The issuance of this superseding certificate does not confirm the status of the water right in reference to  $ORS\ 540.610$ .

Resources Director entered on January 7, 1969, approving transfer

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. September 15, 1978

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Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 39 , page 46532

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 the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 478.3 ACRES AND SUPPLEMENTAL IRRIGATION of 650.72 ACRES, DOMESTIC AND STOCK USE.

This right was perfected under Permit 15165. The date of priority is OCTOBER 21, 1929. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 23.72 CUBIC FEET PER SECOND (cfs), being 11.86 cfs from Badger Creek for irrigation, 11.72 cfs from Badger Lake Reservoir for supplemental irrigation, and 0.14 cfs from Badger Creek for domestic and stock use, or its equivalent in case of rotation, measured at the points of diversion from the sources.

The point of diversion is located follows:

SW % NE %, SECTION 32, T 3 68 T 10 E, W.M.

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 not to exceed one acre foot per acre during any 30 day period up to July 1<sup>st</sup> of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, the rate of flow shall not exceed ONE-FORTIETH of a second foot per acre up to July 1<sup>st</sup> of each year and thereafter not to exceed ONE-EIGHTIETH of a second

foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

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:

#### PRIMARY - BADGER CREEK

	SW	1/4	SW	· ¼	4.0	ACRES	SE	*	SE	1/4	20.0	ACRES
			S	ECT	TON 33				2	EC	TION 7	
	1	3	S,	R	12 E,	W.M.						
							SW	3/4	SW	*	8.0	ACRES
	SE	34	SE	1/4	15.0	ACRES			S	EC	TION 8	
٠			S	ECT	TION 2							
	7	4	S	R	11 R.	W.M.	NW	1/4	NW	1/	5.0	ACRES
	•		0,	•	/		CM	1/	CP	1/	7 0	ACREC
	CM	1/	ME	1/	15.0	ACDEC	CE.	1/	CE	1/	6.5	ACRES
							36	74	25	78	C.0	ACRES
	SW	*	MM	*	8.6 15.0	ACRES			S	EC	TION 9	
	SE	×	NW	*	15.0	ACRES						
	SW	*	SE	1/4	20.0	ACRES	SW	*	NE	1/4	5.3	ACRES
	SE	*	SE	34	30.0	ACRES	NE	1/4	SE	×	7.3	<b>ACRES</b>
			S	ECT	TION 1		NW	1/4	SE	×	10.6	ACRES
									SI	CI	ION 10	
	SW	1/	NW	1/	34.0	ACRES						
					17.7	ACDEC	NE	1/	NW	14	10.0	ACRES
	ME	74	OH	74	16.9	ACRES	SE.	1/	CW	1/	6.0	ACDEC
						ACRES	3E	A	CI	74. 2011	11 NO.1	ACKES
			S	EC.	TION 2				51	SCI	TON II	
					5.0	ACRES						
	SW	*	NE	*	20.0	ACRES	NM	*	NE	1/4	12.0	ACRES
	SE	*	NE	1/4	8.0	ACRES	NE	34	NW	1/4	4.0	ACRES
	NE	*	NW	1/4	15.7	ACRES			SE	CT	ION 13	
					8.0	ACRES						
					6.0	ACRES	NE	1/4	NE	1/4	2.5	ACRES
					5.0	ACDEC		/-	SE	CT	TON 18	
						ACRES	T	1	9	D	12 6	to M
					CION 3		1	**	٥,	л	12 5,	W . PI .
							. ATE	1/	OD.	1/	10 0	N CDEC
	SW	×	NW	<b>1</b> /4	2.5	ACRES	. NE	*	SE	74	10.0	ACRES
	SE	X	NW	*	15.0	ACRES	NM	×	SE	1/4	10.0	ACRES
	SW	1/4	SW	*	11.7	ACRES	SE	*	SE	X	10.0	ACRES
			S	ECT	ION 4				S	EC.	CION 6.	
	SE	*	WN	3/4	15.0	ACRES	•					

SECTION 5

SECTION 7

NE % NE % 14.2 ACRES NW % NW % 10.0 ACRES NE % NW % 26.8 ACRES SE % NW % 5.0 ACRES SECTION 8 T 4 S, R 13 E, W.M.

#### SUPPLEMENTAL - BADGER LAKE RESERVOIR

SW % SW % 4.00 ACRES SE % SE % 14.14 ACRES SECTION 33 T 3 S, R 12 E, W.M.

SE % SE % 10.38 ACRES SECTION 2

NW % NE % 8.00 ACRES SECTION 12 T 4 S, R 11 E, W.M.

SW % NE % 15.00 ACRES SW % NW % 11.52 ACRES SE % NW % 15.00 ACRES NW % SE % 5.35 ACRES SW % SE % 28.00 ACRES SE % SE % 31.00 ACRES SECTION 1

SW % NW % 25.80 ACRES SE % SW % 14.14 ACRES NE % SE % 20.76 ACRES SECTION 2

5.00 NW ¼ NE ¼ SW 1/4 NE 1/4 27.26 NE % NW % 15.0 NE X SE X 18.14 OR NW 1/4 SE 1/4 6.00 ACT SE % SE % 7.00\ ACR SECTION 3

SE % NW % 11.72 ACKES SECTION 4

NE % NE % 13.00 ACRES SE % NW % 10.38 ACRES SECTION 5

SW % NW % 7.00 ACRES SE % NW % 2.00 ACRES

NE ¼ SW ¼ 8.95 ACRES SE ¼ SE ¼ 16.22 ACRES SECTION 7

SW % SW % 8.00 ACRES NW % SE % 12.45 ACRES SECTION 8

NW % NW % 4.00 ACRES SW % SE % 7.00 ACRES SE % SE % 6.50 ACRES SECTION 9

SW % NE % SW 1/4 NE 1/4 5.33 ACRES NE 1/4 SE 1/4 7.00 ACRES NW % SE % 10.00 ACRES SECTION 10

NE % NW % 17.00 ACRES NW % SW % 10.00 ACRES SW % SW % 3.00 ACRES SECTION 11

15.10 ACRES NE % NW 14.76 ACRES NW % 6.00 ACRES SEQ NE % 7.50 ACRES NE % 2.50 ACRES \* SECTION 12

NW M NE % 8.00 ACRES NA NW % 4.00 ACRES SECTION 13

NW % NW % 7.26 ACRES SECTION 15

NE % NE % 1.70 ACRES SECTION 18 T 4 S, R 12 E, W.M.

T-4313rr.JWG

Page 3 CERTIFICATE NUMBER 82086

SW	×	SW	×	11.00	ACRES
SE	×	SW	*	3.00	<b>ACRES</b>
		S	EC'	TION 5	

NE % SE % 10.00 ACRES NW % SE % 10.00 ACRES SE % SE % 20.00 ACRES SECTION 6 NE % NE % 9.40 ACRES NE % NW % 26.80 ACRES SECTION 7

NW % NW % 20.00 ACRES
SE % NW % 4.00 ACRES
SW % NE % 28.66 ACRES
SECTION 8
T 4 S, R 13 E, W.M.

This certificates describes that portion of the water right confirmed by Certificate 46532, Volume 39, State Record of Water Right certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 27, 1979, approving Transfer 4313.

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 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.

WITNESS the signature of the Water Resources Director, affixed May 23, 2006.

Phillip C. Ward, Director Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82086.

0.03905

4-9990

## STATE OF OREGON

COUNTY OF WASCO

## CERTIFICATE OF WATER RIGHT

of macani. Want		7/	063	
	e STATE ENGINEER o	ate of Cregon	, has made p	
	BADGER (	CREEK		
under Permit No. 6734	of the State Engi cordance with the laws o		ht to the use of said wa	ters
iforesaid, is limited to an	er to which such right is n amount actually benefic			
.13 cubic foot per	second;		2	
right existing for the saucre, or its equivalent is  A description of right is appurtenant (cuse), is as follows: 5	ater used for irrigation, t ime lands, shall be limite	d to one-eightieth of or ler the right hereby co s, the place where the	ne cubic foot per second  nfirmed, and to which water is put to benef	per such icial
Transfer	- 1		Remain	
3,0	SWNW - Sec.	1 - 5.0	2.0	` .
	SENW-Sec	.4 - 5.0	5.º F	
	AND REPORT OF THE PROPERTY OF		Secretary of the second	
	T. 45, R.			
		12E, WM		-
13 cfs (÷)	10.° AC =	12E, WM	fs/AC	
13 cfs (+)	10.° AC =	12E, WM	fs/AC	f.
013 cfs (x)		0.013 C	fs - Tran	
The right to the vase herein described.  Rights to the use the date of priority of the laws existing at the firmed and limited.	10.° AC =	0.013 compared to a prefer to the right for power	FS - Remarks or placed to the lands or placed to the lands or placed a period of forty years france right of renewal were purposes, as hereby	rom nder
The right to the use herein described. Rights to the use the date of priority of the laws existing at the tirmed and limited.	10. AC =  3. AC =  7. AC =  use of the water for irrig  to of water for power put  the right, as herein set for  e date of the expiration	0.013 compared to a prefer to	Remarks of the lands of places to the lands of places of forty years from the remarks of the state Engin	rom nder
The right to the use herein described. Rights to the use the date of priority of the laws existing at the tirmed and limited.	10. AC =  3. AC =  7. AC =  use of the water for irrig  to of water for power put  the right, as herein set for  e date of the expiration	0.013 control of the purposes are limited to a prefer to find the purposes the signal of the right for power witness the signal of the right for power witness the signal of the purposes are limited to a prefer to find the purposes are limited to a prefer to find the purposes are limited to a prefer to find the purpose are limited to a prefer to find the purposes are limited to find the purposes are limited to find the purposes are limited to find the purpose are limited to find the purpos	Remarks of the lands of places to the lands of places of forty years from the remarks of the state Engin	rom nder con-
The right to the use herein described. Rights to the use the date of priority of the laws existing at the tirmed and limited.	10. AC =  3. AC =  7. AC =  use of the water for irrig  to of water for power put  the right, as herein set for  e date of the expiration	0.013 Common and the subject to a prefer to of the right for power affixed this	Remarks of the lands of places to the lands of places of forty years from the remarks of the State Engisery	rom nder con-

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VOR



Last revised: 10/23/2004

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900 www.wrd.state.or.us

## **Application for Water Right Transfer**

AUG 0 5 2005

WATER RESOURCES DEPT

SALEM, OREGON

**FSD** 

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

		APPLIC	ATION FOR:		AIIG 1 6 20
✓ Water Ri ☐ Historic ☐ To Instr ☐ Other T	Change in POD ream Use	☐ Tempora	ry Transfer of years) mendment		ansier RESOURCE version Change ernment Action
	1.	APPLICAN	T INFORMAT	ION	
Name:	McAllister Ra	anches			
Address:	First 80455 Wamic 1	Market Road	Last		
	Tygh Valley		OR	97063	
Phone:	City (503) 784-0836	(cell)	State	Zip	
*Fax:	Home		Work *E-Mail add	Other	
*Optional infor			D-Iviair add	1033.	
	listed is authorized to	represent the app	INFORMATIO	relating to this transf	er application)
Name:	First		Last		
Address:	409 Lincoln The Dalles	Street	OR	97058	
Phone:	City		State (541) 296-917	Zip	
*Fax:(54	Home 11) 296-6657		Work	Other ress: Itoll@tenneson	eng.com
*Optional infor	mation			RECEIV	

Transfer Application/1

## 3. TYPE OF CHANGE PROPOSED

Please check all that apply

Appropriation  ☐ Change (The old point of diver-	Place of Use	Character of Use (n/a for Permit Amendments)
sion or appropriation will not be used for the portion of the water right affected by the transfer.)  Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)  Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.)  Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion and not as an additional point of appropriation.)	<ul> <li>☑ All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.)</li> <li>☑ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)</li> </ul>	Proposed new use:    Irrigation
and sprinklers used to divert, co	very system. Include information onvey and apply the water at the a ent to demonstrate that the full quantity of	uthorized place of use.
conveyed from the authorized sou willing, and able to exercise The Badger Ditch delivers water	arce and applied at the authorized locality the right. (Not applicable to application of users. The Badga distributes the water. Individual users.	on and that the applicant is ready, ons for Permit Amendments.)  ger Ditch diverts up to
conveyed from the authorized sou willing, and able to exercise The Badger Ditch delivers water	er to a number of users. The Badg	on and that the applicant is ready, ons for Permit Amendments.)  ger Ditch diverts up to

T. 9990

Transfer Application/2

AUG 0 5 2005

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

✓ Certificated Right	7221	6734
	Certificate Number	Permit Number or Decree Name
Adjudicated, Un-certificated		
Right	Name of Decree	Page Number
Permit for which Proof has	Dannit Number	Date Claim of Danefield Hee Culmined
been Approved Transformed Bight for which	Permit Number	Date Claim of Beneficial Use Submitted
Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
Permit for which an	rievious Transfer Fundoer	Date Claim of Beneficial Ose Submitted
Amendment is Requested	Permit Number	Completion Date of Permit
Name on Permit, Certificate, or Dec	cree: F.A. Morrow	
,		
County: Wasco	_ Authorized Use(s):	Irrigation
with each of the proposed points list those priority dates:  Source(s) of Water Listed on Right:		ion and places of use. In addition,
Source(s) of water Listed on Right.		
Tributary to:Tygh Creek	(Cert. Jays	White River)
Are there other Sources listed of If "Yes", any information provide each of the proposed points of addition, list those other source.	ded on <b>Page 4 must</b> ident liversion/appropriation a	tify which source is associated with
Are there Other Water Rights or p	permits associated with th	is land? ☑ Yes ☐ No
If "Yes", what are the Permit or	r Certificate Numbers?	Permits 27390, 33228, and 39616
	right that is supplemental	to a primary right proposed for
Remarks:		
	D=/	051/55
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WATER RESOURCES DEPT,
Transfer Application SALFM, OREGON

AUG 0 5 2005

Cert 7221

Certificate Number or other identifying number from Page 3: Permit 6734

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

## Location of Existing Authorized Place of Use to be Changed:

Township	Ra	nge	Mer	Sec	Section	Gov't Lot or DLC	Acres (if applicable)
4 S	12	Е	W	1	SW/NW		3.0
			·				
-	-						
	1	al \ f i		19			

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Transfer Application/4

AUG 0 5 2005

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 6734

Cert 7221

## Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

## Location of Proposed Place of Use:

Town		Ran	nge	Mer	Sec	4 4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/SW		1.2
						SE/SW		1.8
								7

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	RECEIVED	
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	WATER RESOURCES DEPT. SALEM, OREGON	AUG 0 5 200

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Transfer Application/5 A

AUG U D ESSE

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

/ Contificated Diale	46532 8Z	086 15165
Certificated Right	Certificate Number	Permit Number or Decree Name
Adjudicated, Un-certificated		
☐ Right	Name of Decree	Page Number
Permit for which Proof has		
been Approved	Permit Number	Date Claim of Beneficial Use Submittee
Transferred Right for which		
Proof has been Filed	Previous Transfer Nur	mber Date Claim of Beneficial Use Submittee
Permit for which an		
Amendment is Requested	Permit Number	Completion Date of Permit
	ded on Page 4 mi	vater right? Yes No ust identify which priority date is associated propriation and places of use. In addition,
Source(s) of Water Listed on Right:	Badger Creek	and Badgas I ake Dasarrais
Journal of Water Listed on Right.	Danger Crear	and Badger Lake Reservoir
Tributary to: Tygh Creek	(Cert.	says White River)
Tributary to: Tygh Creek  Are there other Sources listed of If "Yes", any information proving each of the proposed points of addition, list those other source.  Are there Other Water Rights or put If "Yes", what are the Permit of	n the water right'ded on Page 4 miliversion/appropris: ermits associated or Certificate Numeright that is supplied.	Yes No ust identify which source is associated with riation and proposed places of use. In  I with this land? Yes No ubers? Permits 33228 and 39616 Idenental to a primary right proposed for
Tributary to:Tygh Creek  Are there other Sources listed of If "Yes", any information proving each of the proposed points of a addition, list those other source.  Are there Other Water Rights or pure If "Yes", what are the Permit of Pursuant to ORS 540.510, any intransfer must be included in the	n the water right!  ded on Page 4 meliversion/appropr s:  ermits associated r Certificate Num right that is supple transfer or be ca	Yes No ust identify which source is associated with riation and proposed places of use. In  with this land? Yes No ubers? Permits 33228 and 39616 demental to a primary right proposed for
Are there other Sources listed of If "Yes", any information provide ach of the proposed points of a addition, list those other source. Are there Other Water Rights or pulse If "Yes", what are the Permit of Pursuant to ORS 540.510, any intransfer must be included in the Remarks: No domestic involved we	n the water right'ded on Page 4 mediversion/appropries:  ermits associated a contract of the c	Yes No  No ust identify which source is associated with riation and proposed places of use. In  If with this land? Yes No  Abers? Permits 33228 and 39616  The mental to a primary right proposed for incelled.
Are there other Sources listed of If "Yes", any information provide ach of the proposed points of a addition, list those other source. Are there Other Water Rights or pursuant to ORS 540.510, any intransfer must be included in the Remarks: No domestic involved were also and the source.	n the water right'ded on Page 4 mediversion/appropries:  ermits associated a contract of the c	Yes No ust identify which source is associated with riation and proposed places of use. In  with this land? Yes No ubers? Permits 33228 and 39616 demental to a primary right proposed for
Are there other Sources listed of If "Yes", any information provide ach of the proposed points of a addition, list those other source. Are there Other Water Rights or pursuant to ORS 540.510, any intransfer must be included in the Remarks: No domestic involved were also and the source.	n the water right'ded on Page 4 mediversion/appropries:  ermits associated a contract of the c	Yes No  No ust identify which source is associated with riation and proposed places of use. In  If with this land? Yes No  Abers? Permits 33228 and 39616  The mental to a primary right proposed for incelled.
Are there other Sources listed of If "Yes", any information provide ach of the proposed points of a addition, list those other source.  Are there Other Water Rights or pure of the Permit of Pursuant to ORS 540.510, any intransfer must be included in the Remarks: No domestic involved were also as a superior of the proposed points.	n the water right'ded on Page 4 mediversion/appropries:  ermits associated a contract of the c	Yes No  No ust identify which source is associated with riation and proposed places of use. In  If with this land? Yes No  Abers? Permits 33228 and 39616  The mental to a primary right proposed for incelled.
Are there other Sources listed of If "Yes", any information provide ach of the proposed points of a addition, list those other source.  Are there Other Water Rights or pure of the Permit of Pursuant to ORS 540.510, any intransfer must be included in the Remarks: No domestic involved we will the the control of the the proposed points of the proposed poin	n the water right'ded on Page 4 mediversion/appropries:  ermits associated a contract of the c	Yes No  No ust identify which source is associated with riation and proposed places of use. In  If with this land? Yes No  Abers? Permits 33228 and 39616  The mental to a primary right proposed for incelled.
Are there other Sources listed of If "Yes", any information provide ach of the proposed points of a addition, list those other source. Are there Other Water Rights or pursuant to ORS 540.510, any intransfer must be included in the Remarks: No domestic involved were also and the source.	n the water right'ded on Page 4 miliversion/appropris:  permits associated r Certificate Numeright that is supplify transfer or be calculated are supplemental.	Yes No  No ust identify which source is associated with riation and proposed places of use. In  If with this land? Yes No  No ubers? Permits 33228 and 39616  The mental to a primary right proposed for incelled.

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Transfer Application/3 B

AUG 0 5 2005

82086 Cert 46532

Certificate Number or other identifying number from Page 3: Permit 15165

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)	

Location of Existing Authorized Place of Use to be Changed:

Township	Ran	gė	Mer	Sec	V4 V4 Section	Gov't Lot or DLC	Acres (if applicable)	**************************************
4 S	12	Е	W	1	SW/NW		2.3 STK Primary	8.6 total in Que perces
					SE/NW		3.0 STK Primary	15.0 11 11 11 11 11
4 S	12	E	w	1	SE/NW		3.0 Supplemental	15,0 total in a appendent
					RE	CEIVE	:D	
					AU	1 6 200	DEPT	RECEIVED
					SA	RESOURCES LEM, OREGO	N	AUG 0 5 2005

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Transfer Application/4 B

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 15165 (ext. 82086)

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Survey Coordinates (coordinates from a recognized su	Gov't Lot or DLC	¼ ¼ Section	Sec	Mer	Range	Township

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Acres (if applicable)	Gov't Lot or DLC	1/4 1/4 Section	Sec	Mer	ige	Rar	ship	Town
Primary			1	W	E	12	S	4
2.0 + 0.3		NE/SW	179					
0.3 + 0.8		NW/SW						
1.0		SW/SW						
0.9		SE/SW						
Supplemental								
0.3		NE/SW						
0.8		NW/SW						
1.0		SW/SW						
0.9		SE/SW						

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	Alvino.		

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AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

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Transfer Application/5 B

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

		80637	2163	
✓ Cer	tificated Right	Certificate Number	Permit Number or De	ecree Name
☐ Adj	udicated, Un-certificated			
☐ Rig		Name of Decree	Page Number	
	mit for which Proof has			
	n Approved	Permit Number	Date Claim of Benefi	icial Use Submitted
Pro	nsferred Right for which of has been Filed	Previous Transfer Number	Date Claim of Benefi	icial Use Submitted
	mit for which an endment is Requested	Permit Number	Completion Date of I	Permit
Name or	Permit, Certificate, or Dec	ree: Badger Improvement	District	V
County:	Wasco	_ Authorized Use(s):Irrigs	ation	<i>\bullet</i>
with list th	each of the proposed points	ded on Page 4 must identify white of diversion/appropriation and South Fork Badger Creek		
Т	ributary to: Tygh Creek			
If " <b>Y</b> each	es", any information provid	n the water right? Yes \[ \]  the ded on <b>Page 4 must</b> identify white iversion/appropriation and property.  The water right? Yes \[ \]	ch source is asso	
Are there	e Other Water Rights or p	ermits associated with this land	? ☐ Yes ☑ N	lo $\checkmark$
Purs	es", what are the Permit or uant to ORS 540.510, any r afer must be included in the	ight that is supplemental to a pr	imary right prop	osed for
Remarks	E			
		RECEIV	ED	
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		WATER RESOURCE SALEM, OREG		RECEIVED
		JALEIVI, UNEG	VIN	AUG 0 5 2005
	1.9997	Transfer Application/3 C		

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Cert 80637

Certificate Number or other identifying number from Page 3: Permit 2163

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
		TW S				

## Location of Existing Authorized Place of Use to be Changed:

Fowr	ship	Rar	ige	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	Е	W	1	SW/NW		0.4	7.65 Acres in Cert
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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 2163

Cert 80637

## Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
The same	Kange	Range Mer	Range Met Sec	Range Met Sec Section	Range Met Sec Section or DLC

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

## Location of Proposed Place of Use:

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Town	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	SE/SW		0.4
								:
				,				,
							·	

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	RECEIVED	
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Transfer Application/5

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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

		20/00	
✓ Certificated Right	76222 Certificate Number	Permit Number of	r Dagma Nama
Adjudicated, Un-certificated		remin Number o	Doice Haile
Right	Name of Decree	Page Number	
Permit for which Proof has		1 - 50 - 1 - 1 - 1	
been Approved	Permit Number	Date Claim of Be	neficial Use Submitted
Transferred Right for which			
Proof has been Filed	Previous Transfer Number	Date Claim of Be	neficial Use Submitted
Permit for which an	11.7	•	
Amendment is Requested	Permit Number	Completion Date	of Permit
Name on Permit, Certificate, or D  County:	Authorized Use(s):  sidentified on the water rights  wided on Page 4 must identify  nts of diversion/appropriation  12, 1941 and March 20, 1951  ht:	Irrigation  ? Yes No which priority day and places of use.  Lake Reservoir	In addition,
Are there other Sources listed If "Yes", any information pro each of the proposed points of addition, list those other source.	vided on <b>Page 4 must</b> identify f diversion/appropriation and	which source is a	
Are there Other Water Rights or	r permits associated with this	land? [7] Yes [	1 No
	-		
If "Yes", what are the Permit			
Pursuant to ORS 540.510, any transfer must be included in the		a primary right pr	oposea jor
transjer must be included in th	ne transfer or be curicened.		
Remarks: All land under this w	ater right have both priority d	lates. It takes both	to make
full rate of water on e	each acre.		
	110119		
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- 9995			AUG 0 5 2005
7.9990	Transfer Application/3 D		WATER RESOURCES DE SALEM, OREGON

Cert 76222 Permit 22633

## Certificate Number or other identifying number from Page 3: Permit 22633

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
					4-4	

## Location of Existing Authorized Place of Use to be Changed:

Town	nship	Rar	nge	Mer	Sec	% % Section	Gov't Lot or DLC	Acres (if applicable)	12 Ac in Cent
4	S	12	E	W	1	SW/NW		0.6	
						SE/NW		4.9	
									22.0 Ac in Con
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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 22633 Cert 76222

## Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

## Location of Proposed Place of Use:

Town	ship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/SW		1.5
						SE/SW		4.0
							3,1	2
								,
						•		
								, , , , , , , , , , , , , , , , , , , ,

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	_	Mary Tary		

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WATER RESOURCES DEPT SALEM, OREGON

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Transfer Application/5 D

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

	0.10.1.10.1.	76223	27390		
$ \mathbf{A} $	Certificated Right	Certificate Number	Permit Number or	Decree Name	
	Adjudicated, Un-certificated				
	Right	Name of Decree	Page Number		
	Permit for which Proof has		· · · · · · · · · · · · · · · · · · ·		
ш	been Approved	Permit Number	Date Claim of Ber	neficial Use Submitted	
	Transferred Right for which				
ш	Proof has been Filed	Previous Transfer Number	Date Claim of Ber	neficial Use Submitted	
	Permit for which an			~	
ч	Amendment is Requested	Permit Number	Completion Date of	of Permit	
	ne on Permit, Certificate, or Dec		vement District  Irrigation & Supplem	ental Irrigation	
	there multiple Priority Dates in If "Yes", any information provide with each of the proposed points list those priority dates:	ded on <b>Page 4 must</b> ident s of diversion/appropriati	ify which priority date on and places of use.		
		Bodger Creek and			
Sou	rce(s) of Water Listed on Right:	Badger Lake Reservoir			
	Tributary to: Tygh Creek	(Cert. says		F	
	Are there other Sources listed on If "Yes", any information provide each of the proposed points of daddition, list those other sources	ded on <b>Page 4 must</b> ident iversion/appropriation at			
Are	there Other Water Rights or p	ermits associated with th	is land? ☑ Yes ☐	No	
	If " <b>Yes</b> ", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the	ight that is supplemental			01
Ren	narks: No primary irrigation u	nder this right.			OK
			IVED		
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				AUG 05	2005
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Cert 76223

Certificate Number or other identifying number from Page 3: Permit 27390

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	wnship Range		Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Location of Existing Authorized Place of Use to be Changed:

Tow	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	E	W	1	SW/NW		3.0 Supplemental	V10.58 in Cer
								Badger Lake Reservoir	
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Transfer Application/4

Cert 76223 A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 27390

## Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

## **Location of Proposed Place of Use:**

Town	iship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	SW/SW		1.2
						SE/SW	••	1.8
				-				

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	From Badger	Lake Reservoir fo	or Supplemental Irrigation.	
Remarks:	From Badger	Lake Reservoir fo	or Supplemental Irrigation.	

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Transfer Application/5

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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

7 Cartificated Bight	51486	33228	
✓ Certificated Right	Certificate Number	Permit Number or Decree Name	
Adjudicated, Un-certificat	red		
- Right	Name of Decree	Page Number	
Permit for which Proof ha	S		
been Approved	Permit Number	Date Claim of Beneficial Use Submitted	
Transferred Right for whi	ch		
Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted	
Permit for which an			
Amendment is Requested	Permit Number	Completion Date of Permit	
County:Wasco  Are there multiple Priority Da  If "Yes", any information p  with each of the proposed p  list those priority dates:  Source(s) of Water Listed on R  Tributary to:White I  Are there other Sources lis  If "Yes", any information p	tes identified on the water right provided on Page 4 must identification of diversion/appropriation and the Badger Creek and Pine Hardward on the water right? Yes provided on Page 4 must identification of diversion/appropriation and	Trigation, Supplemental Irrigation, Recreation  2. Yes No  3. Which priority date is associated in and places of use. In addition,  4. Iollow Reservoir  4. No  5. Which source is associated with	
If "Yes", what are the Perr Pursuant to ORS 540.510, transfer must be included in	any right that is supplemental to n the transfer or be cancelled.	Permits 6734, 15165, 22633, 27390, 39616	
Remarks: Recreation is an in	reservoir use.		
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	and 9.1 Striv		
	TATE OF THE PROPERTY	AUG 0 5 200	05
	Mar. 441 (48)		
1.9990	Transfer Application/3	WATER RESOURCES SALEM, OREGO	

Cert 51486

Certificate Number or other identifying number from Page 3: Permit 33228

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

## Location of Existing Authorized Place of Use to be Changed:

fowr	iship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	Е	W	1	SW/NW		3.6 Supplement	al 14,7 in Cent
						SE/NW		7.9 Supplement	al V39.2 in Cort
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Transfer Application/4

A separate page providing the information in this section must be completed for each Cert 51486 certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 33228

## Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)		
		1						

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

## Location of Proposed Place of Use:

Town	Township		Township		Range		Sec	¼¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	NE/SW		0.3		
						NW/SW	-	0.8		
						SW/SW	-	3.7		
						SE/SW		6.7		

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	7 - 7-11		

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WATER RESOURCES DEPT SALEM, OREGON

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Transfer Application/5

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

	C-4'C-4-1D'-la	51487	39616	
$\checkmark$	Certificated Right	Certificate Number	Permit Number or l	Decree Name
	Adjudicated, Un-certificated			
	Right	Name of Decree	Page Number	
	Permit for which Proof has			
	been Approved	Permit Number	Date Claim of Bend	eficial Use Submitted
	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Bene	eficial Use Submitted
	Permit for which an		•	
	Amendment is Requested	Permit Number	Completion Date of	f Permit
Nan	ne on Permit, Certificate, or Dec	ree: Pine Hollow Cooperat	ive, Inc.	
Cou	inty: Wasco	Authorized Use(s): S	upplemental Irrigation	
	there multiple Priority Dates in If "Yes", any information provide with each of the proposed points list those priority dates:	ded on Page 4 must identif	y which priority date n and places of use.	
Sou	rce(s) of Water Listed on Right:	Three Mile Creek and Pine I	Hollow Reservoir	
	Tributary to: White River			
	Are there other Sources listed of if "Yes", any information provide each of the proposed points of daddition, list those other sources.	ded on <b>Page 4 must</b> identif liversion/appropriation and	y which source is ass	
Are	there Other Water Rights or p	ermits associated with this	land? Yes	No V
	If " <b>Yes</b> ", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the	ight that is supplemental to		
Ren	narks:			
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Cert 51487

## Certificate Number or other identifying number from Page 3: Permit 39616

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Location of Existing Authorized Place of Use to be Changed:

Town	ship	Rai	nge	Mer	Sec	Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	E	W	1	SW/NW		3.6	147 in Cort
						SE/NW		7.9	37.2 in OV
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A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 39616

Cert 51487

## Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
						+

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

## Location of Proposed Place of Use:

Town	nship	Rai	nge	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	NE/SW		0.3
						NW/SW		0.8
						SW/SW		3.7
						SE/SW		6.7

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	RECEIVED

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WATER RESOURCES DEFI SALEM, OREGON

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Transfer Application/5 4

## 6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for other water district?  Yes No	transfer located within o	r served by an irriga	tion or
Will any of the water rights be located water the proposed transfer?  Yes		gation or other wate	r district
Is water for any of the rights supplied und stored water with a Federal agency?		ement or other contra	act for
If "Yes", for any of the above, list the na	me and mailing address	of the district and/o	r agency:
Badger Improvement District	Pine Hollow	Cooperative	
80309 Ross Road	80309 Ross		
Wamic, OR 97063	Wamic, OR	97063	
List the name and mailing address of all a corporation, and tribal governments with Wasco County			y, municipal
	AND OWNERSHIP	_	
Does the applicant own the lands FROM  If "No", provide the following inform notarized statement granting consent  Names of Current Landowner(s):  Address:80455 Wamic Market Road	nation. For Temporary To to the transfer from each	Fransfers, also included in the landowners.	de a
Tygh Valley	OR	97063	
City  Does the applicant own the lands <b>TO</b> wh  If "No", provide the following inform  Names of Receiving Landowner(s): _	nation:	Zip nsferred?  Yes Last	□No
Address:			
City Check one of the following:	State	Zip	
The receiving landowner will be resp final order is issued. All notices and contact and contact are successful.			
☑ The applicant will remain responsible correspondence should continue to be			RECEIVED
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,		. [	WATER RESOURCES DEPT SALEM, OREGON

## 8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Form A – Evidence of Use Affidavits	Land Use Information Form:				
At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.  Form B – Instream Water Right Transfer  Required for instream transfers only.	<ul> <li>☐ Enclosed</li> <li>Not Required if all of the following are met:</li> <li>In EFU zone or irrigation district,</li> <li>Change in place of use only,</li> <li>No structural changes needed, including diversion works, delivery facilities, other structures, and</li> <li>Irrigation only.</li> </ul>				
Мар	Water Well Reports/Well Logs:				
Permanent Water Right Transfer The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.  Permit Amendment, Temporary Transfer, or Other Application A map meeting the requirements of OAR 690-380- 3100 must be included but need not be prepared by a Certified Water Right Examiner.  Evidence of Lien Holder Notification	<ul> <li>□ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</li> <li>□ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</li> <li>□ The application is for a surface water transfer and water well reports are not required.</li> </ul>				
Copies of the written notification of the proposed	Fees:				
transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.  Recorded Deed  Required for temporary transfers only.	See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.				
required for comporting transfers only.					
I (we) understand that prior to approval of a permane determination by the Department, I (we) must submit (1) A report on ownership and lien information presif required under OAR 690-380-3000(18), and	t: epared by a title company within the last three months landowner or entity to which the water right has been nership information is not required. pplication is true and accurate.				
applicant signature name (prin	ut) dates c				
Before submitting your ap     Answered each question completely.     Included the required attachments.     Provided original signatures for all named deed hold.	plication, be sure you have RESOURCES DEPT SALEM, OREGON  ders or other parties with an interest in the right.				
Included a check payable to the Oregon Water Resources Department for the appropriate amount.  RECEIVED					

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Transfer Application/7

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994	65101-S	- Company of the Comp				7/254.5	99055·S		. )
pr pr	5261-62-17	6261-12-01	h161-8-8	1561-07 E 1461-21-4	1961-22- 5	8761-52-4	_5261-1-5		
1:4	:	White River	Boldger	White Prince Back	White Riws	Tygh Crul Rine Hollow	White Rive		
23 Tues		Thrumik CR. Badger Gake	Highland A.t.a.	Badyer Creek	8. Agus buch	Bodger Greek pine Hollow	Threshile CR	5251	
351	VI	517 700	VI	AI	つエ	J.R.	51		
suro?	morrom	minarprit replaced	//	/,	"	pin Hollow Coop	Mollatt in. 9		44-4

# Water Right Transfer Supplemental Form A AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon )
County of Wasco ) ss
I, Bill McAllister , in my capacity as Ranch Manager ,
mailing address 80455 Wamic Market Road, Tygh Valley, OR 97063
telephone number (503)784-0836, being first duly sworn depose and say:
<ol> <li>I attest that:</li> <li>Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or</li> <li>The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.</li> </ol>
2. My knowledge of the exercise or status of the water right is based on (check one):
☑ Personal observation  □ Professional expertise
3. My knowledge is specific to the use of water at the following locations:

Tow	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	E	W	1	SW/NW		6.3	
						SW/NW		7.9	
									CEIVED
								Al	G 16 2006
								WATER	RESOURCES DEPT. LEM, OREGON
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									AUG 0 5 2005
								WA	TER RESOURCES DE SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

1.9990

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):				
The water is used to irrigate about 135 acres of hay and pasture land. In the fall the land that is for hay is then pastured.				
5. The water delivery system used to apply water as authorized by the right is described below:				
The water is delivered to the ranch by the Badger Ditch system. Water is delivered by gravity				
to a pond. The water is then pumped from the pond and used to sprinkle irrigate about 135 acres				
in this portion of the ranch.				
6. One or more of the following documentation supporting the above statements is attached:				
Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),				
<ul> <li>Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,</li> </ul>				
☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,				
☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,				
Dedicated power usage records or receipts,				
Other: Receipt from the Badger Improvement District for water delivery. This shows that assessment is current and no back assessment is outstanding				
assessment is current and no back assessment is outstanding				
William Rm Cacustn Signature of Affiant Date				
Signed and sworn to (or affirmed) before me this 1 st day of 4040st, 2005.				
OFFICIAL SEAL BENJAMIN B. BESEDA NOTARY PUBLIC-OREGON COMIVISSION NO. 380407 MY COMMIS SYDN EXPIRES JUNE 4, 2008				
My Commission Expires: June 4, 2008				

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

Supplemental Form A

WATER RESOURCES DEPT SALEM, OREGON

AUG 0 5 2005

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AUG 1 6 2006

## STATE OF OREGON

COUNTY OF WASCO

## CERTIFICATE OF WATER RIGHT

20 4 V.40 Gra

This is to Certify, That	F. A. MORROW	020/	of the Western
of one and Wante	State of	Carogan	, has made proof
to the entiefaction of the STATE ENG a tributary of 673.4 Wilder Bluer	PARGUR - CHANGE		
under Permit No. 5754 of the St has been perfected in accordance with t	tate Engineer, and	i that said right to	the use of said waters
confirmed dates from April 27, 192			s of promise ordinate

that the amount of nater to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially, used for said purposes, and shall not exceed 0.09 octs entitle foot per second;

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

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 feet per second per acre, or its equivalent in case of rotation.

> 7-9990 RR 3.0 Ac 2.0 Ac

10 Ac (\$0 c/Ac) = 0.125 nounded to 0.13 cfs

For RR: 7Ac (\$\frac{1}{80} \frac{cfs}{Ac}) = 0.0875 rounded to 0.09 cfs

to a still The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the mate of priority of the right, as herein set forth, subject to a preference right of renewal under the interesting at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this

25mg

day

f

, 194.

State Engineer.

Recorded in State Bours of Water Right Certificates; Volume and the page part 4 of before

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AUG 16 200

X-9990

Committee a Maria

#### STATE OF OREGON

COUNTY OF

WASCO

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BADGER IMPROVEMENT DISTRICT

of Wamic Rural Station, Wamic , State of Oregon, 97063 proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Badger Lake Reservoir constructed under Permit No. R-773

a tributary of White River irrigation of 482.3 acres and supplemental irrigation of 654.72 acres, domestic under Permit No. 15165 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 21, 1929

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 24.0 cubic feet per second, being 12.06 c.f.s. from Badger Creek for irrigation 11.80 c.f.s. from Badger Lake Reservoir for supplemental irrigation; and 0.14 c.f.s. from Badger Creek for domestic and stock use.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW4 NE4, Section 32, T. 3 S., R. 11 E., W. M.

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 ------of one cubic foot per second per-acre, a diversion of not to exceed one acre foot per acre during any 30 day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, that the rate of flow shall not exceed one-fortieth of a second foot per acre up to July 1st of each year and thereafter not to exceed one-eightieth of a second foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right

is appurtenant, is as follows:

SEE NEXT PAGE

For Primary Inigation: 482.3 Ac = 40 Ac or 40 chs per Ac 5.3 Ac (40 cfg/Ac) = 0.13 cfs for T-9990

For Supp'l Irrigation: 654.72 Ac = 55.48 Ac or 55.48 for ne 3.0 Ac (55.48 c//n) = 0.054 cfs for T-9790

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Alig 1 6 2006 WATER RESOURCES DEPT. SALEM, OREGON

T-4313

Per 5-15765

## PRIMARY-BADGER CREEK

4.0 acres SW4 SW4 Section 33 . 3 S., R. 12 E., W.	м.	8.0 acres SW4 SW4 Section 8
15.0 acres SE¼ SE¼ Section 2 . 4 S., R. 11 E., W.	. м.	5.0 acres NW¼ NW¼ 7.0 acres SW¼ SE¼ 6.5 acres SE¼ SE¼ Section 9
15.0 acres SW\ NE\ 8.6 acres SW\ NW\ 15.0 acres SE\ NW\ 20.0 acres SW\ SE\ SE\ 30.0 acres SE\ SE\ SE\	$\frac{7-9990}{2.3}$ $\frac{RR}{6.3}$ $\frac{6.3}{12.0}$	5.3 acres SW4 NE4 7.3 acres NE4 SE4 10.6 acres NW4 SE4 Section 10
Section 1  34.0 acres SW4 NW4 17.7 acres SE4 SW4		10.0 acres NE¼ NW¼ 6.0 acres SE¼ SW¼ Section 11
16.9 acres NE½ SE½ Section 2		12.0 acres NW¼ NE¼ 4.0 acres NE¼ NW¼ Section 13
5.0 acres NW¼ NE¼ 20.0 acres SW¼ NE¼ 8.0 acres SE¼ NE¼ 15.7 acres NE¼ NW¼ 4.0 acres SW¼ NW¼ 8.0 acres NE¼ SE¼ 6.0 acres NW¼ SE¾ 5.0 acres SE¾ SE¼ Section 3	T-4313 APOV +11	2.5 acres NE¼ NE¼ Section 18 T. 4 S., R. 12 E., W. M.  10.0 acres NE¼ SE¼ 10.0 acres NE¼ SE¼ 10.0 acres SE¼ SE¼ Section 6
2.5 acres SW4 NW4 15.0 acres SE4 NW4 11.7 acres SW4 SW4 Section 4		14.2 acres NE¼ NE¼ 26.8 acres NE¼ NW¼ Section 7
15.0 acres SE½ NW¼ Section 5		10.0 acres NW4 NW4 5,0 acres SE4 NW4 Section 8
20.0 acres SE¼ SE¼ Section 7		T. 4 S., R. 13 E., W. M.

#### SUPPLEMENTAL-BADGER LAKE RESERVOIR

			11 51
4.00 acres SW4 SW4 14.14 acres SE4 SE4 Section 33	27.26	acres NW4 NE4	
T. 3 S., R. 12 E., W. M.		) acres NE¼ NW¼ ) acres SW¼ NW¼ T-+31	3 A POU +11
10.38 acres SE¼ SE¼ Section 2	6.00	acres NE¼ SE¼ acres NW¼ SE¼ acres SE½ SE½	
8.00 acres NW4 NE4		Section 3	
Section 12 T. 4 S., R. 11 E., W. M.		acres SE¼ NW¼ Section 4	
15.00 acres SW4 NE4 11.52 acres SW4 NW4 15.00 acres SE4 NW4 5.35 acres NW4 SE4		acres NE¼ NE¼ acres SE¼ NW¼ Section 5	-
28.00 acres SW4 SE4 31.00 acres SE4 SE4 Section 1	2.00 8.95	acres SW4 NW4 acres SE4 NW4 acres NE4 SW4	RECEIVED
25.80 acres SW4 NW4 14.14 acres SE4 SW4	16.22	acres SE¼ SE¼ Section 7	NECLIVED
20.76 acres NE½ SE¾ Section 2		acres SW¼ SW¼ acres NW¼ SE⅓ Section 8	AUG 1 6 2006 WATER RESOURCES DEPT. SALEM, DREGON

4.00 acres 7.00 acres 6.50 acres Secti	SW4 SE4	SEL	
5.33 acres 7.00 acres 10.00 acres Section	NE14 NW14	SEL	
17.00 acres 10.00 acres 3.00 acres Section	NW4 SW4	SW4 SW4	
15.10 acres 14.76 acres 6.00 acres 7.50 acres 2.50 acres Section	NW4 SW4 SE4 NE4	NW14 NW14 NE14	
8.00 acres	NE4	NW14	

	res NW¼ NW¼ tion 15
Sec	res NE¼ NE¼ tion 18 . 12 E., W. M.
3.00 ac	res SW¼ SW¼ res SE¼ SW¼ tion 5
10.00 ac 20.00 ac Se	res NE¼ SE¼ res NW¼ SE¼ res SE¼ SE¼ ction 6
26.80 ac	res NE¼ NE¼ res NE¼ NW¼ tion 7
20.00 ac	res NW4 NW4

4.00 acres SE¼ NW¼ 28.66 acres SW¼ NE¼ Section 8 T. 4 S., R. 13 E., W. M.

This certificate is issued to confirm a change in place of use as well as to describe that portion of the water right confirmed by the prior certificate recorded on page 20243, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 7, 1969, approving transfer application No. D-136.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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WATER RESOURCES DEPT. SALEM, OREGON

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date

September 15, 1978

Recorded in State Record of Water Right Certificates, Volume 39 , page. 46532 STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

1-9990:

386.25 Ac = 80 de 4.83 cfs = & cfs per he

THIS CERTIFICATE ISSUED TO

0.4 Acx to = 0.005 cfs

BADGER IMPROVEMENT DISTRICT 80309 ROSS ROAD TYGH VALLEY, OR 97063

- 0.40 Acres

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. - 0.005 cts

The point of diversion is located as follows:

SW4 NE4, SECTION 32, T 3 S, R 11 E, WM; HIGHLAND DITCH -N 65° 21' W, 1938.2 FEET FROM THE E4 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 is as follows:

use to which this right is appurtenant

4.50 ACRES 6.50 ACRES

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TOWNSHIP 3 SOUTH RANGE 12 EAST, W.M.

AUG 16 2006

WATER RESOURCES DEPT. SALEM, OREGON

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

Certificate Number 80637

T-9990

Page Two

```
NE¼ NE¼ 0.30 ACRE
          NW4 NE4
                          8.90 ACRES
          SW4 NE4 6.00 ACRES
          SECTION 12
TOWNSHIP 4 SOUTH, RANGE 11 EAST, W.M.
                     8.90 ACRES T-9990
          SE4 NE4
                           7.65 ACRES 0.40 7.25
         SW4 NW4
                       0.05 ACRE
          NE4 SE4
          NW4 SE4
                          5.70 ACRES
          SW4 SE4
                          8.00 ACRES
          SE'4 SE'4 1.20 ACRES
                SECTION 1
         SE4 NE4
                          0.25 ACRE

      SE¼ NW¼
      27.30 ACRES

      NE¼ SW¼
      8.40 ACRES

      SW¼ SW¼
      3.60 ACRES

      NE¼ SE¼
      13.10 ACRES

                  SECTION 2
         SW4 NE4 10.50 ACRES
         NEW SEW 16.00 ACRES
SEW SEW 2.00 ACRES
           SECTION 3
         NE¼ NE¼ 13.50 ACRES
NW¼ NE¼ 3.50 ACRES
         SECTION 5

      NW4 NW4
      3.50 ACRES

      SW4 NW4
      7.20 ACRES

      SE4 NW4
      2.30 ACRES

      NE4 SW4
      12.00 ACRES

                SECTION 7
        SEL SWA CZO 80 ACRES
NEW SEL 2.00 ACRES
NW4 SEL 20.80 ACRES
                        8.00 ACRES
         NE'4 NW4
               SECTION 9
         NW4 NE4 1.60 ACRES
NE4 NW4 7.90 ACRES
                         4.20 ACRES
         NW4 NW4
         NW4 SW4 10.10 ACRES
SW4 SW4 7.50 ACRES
                SECTION 11
```

 NW4 NE4
 13.00 ACRES

 SW4 NE4
 4.20 ACRES

 NW4 NW4
 18.00 ACRES

 SW4 NW4
 5.50 ACRES

 SECTION 12

NE¼ NW¼ 4.00 ACRES NW¼ NW¼ 12.50 ACRES SECTION 15

NW⅓ SW⅓ 2.00 ACRES SECTION 16

NEW NWW 4.20 ACRES NEW SEW 11.00 ACRES SECTION 17

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

SW4 SW4 11.20 ACRES SE4 SW4 3.00 ACRES SECTION 5

 SW4 NW4
 4.60 ACRES

 NE4 SW4
 4.00 ACRES

 NW4 SW4
 4.60 ACRES

 SW4 SE4
 1.80 ACRES

 SE4 SE4
 8.30 ACRES

 SECTION 6

NEW NEW 3.00 ACRES SEW NEW 11.00 ACRES SECTION 7

NW SW4 3.50 ACRES 1.10 ACRES

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

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AUG 1 6 2006
WATER RESOURCES DEPT.
SALEM, OREGON

This certificate describes that portion of the water right confirmed by Certificate 46530, State Record of Mater 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.

T-5606A.SB

Certificate Number 80637

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 Cleary, Director Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

#### STATE OF OREGON

#### COUNTY OF WASCO

#### CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT 80309 ROSS ROAD TYGH VALLEY, OREGON 97063

-5.5 Ac

confirms the right to use the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 982.8 ACRES.

This right was perfected under Permit 22633. The date of priority is APRIL 12, 1941 for 11.96 cfs, and MARCH 20, 1951 for 12.61 cfs. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 24.57 CUBIC FOOT 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% SW%, SECTION 16, T 3 S, R 10 E, WM, and NE% SW%, SECTION 29, T 3 S, R 11 E, WM.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773.

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:

NEX		0.5	ACRE					8.0				
	DE.	CTION 12				SEM	MEN	17.0	ACRES		- 11	
T	OWNSE	11P 4 SOU	TH,			NE%	MW.X	18.0	ACRES		- 11	
RA	NGE 1	1 EAST,	W.M.		0 1	NM%	NMX	13.2	ACRES	-		
			1-	9990	RR	NMX.	SEX	10.0	ACRES	$3 \vdash \cap$		V/ED
NW1	NE X	16.2	ACRES			SWX	NEX	18.0 13.2 10.0 14.8	ACRES	ILU		VLU
SWX	NEX	19.0	ACRES			SEX	SEX	16.9	ACRES		- 11	
NE1/4	NW1/4	0.6	ACRE	,	0 /		S	ECTION 3		ALIC	1 0	2006
SW1/4	NW1/4	1.2	ACRES (	0.6	0,6			16.9 ECTION 3		AUG	. 1	
SE1/4	NW1/4	22.0	ACRES 4	4.9	17.1	NEX	NEX	5.4 25.4 6.0	ACRES	TER REC	Oi do	ACC LY DOW
SE1/4	SW1/4	19.6	ACRES			NWX	NEX	25.4	ACRES	CALEA	CON	DES DEPT.
		10.0				NEX	NWX	6.0	ACRES	SALEIVI	, Un	GUN
		19.4						7.8			- 11	11
/4		ECTION 1				/-		ECTION 4			- 11	11
							_				- 11	11
SEX	NEX	1.0	ACRE			NEX	NWX	1.9	ACRES			11
NEX	SWX	7.0	ACRES			NWX	NWX	0.2	ACRES		- 11	
NWX	SWX	13.3	ACRES			SWX	NWX	2.9	ACRES		- 11	
		21.9							ACRES			
		0.6				NEX	SWX	3.6	ACRES			1
		1.5						2.9			- ]]	
		29.4						13.2			- 11	11
		ECTION 2						3.8			- 11	
						/4		ECTION 5				
							_				- 11	11

NW¥	N₩¥	17.7	ACRES	NEY	NEY	10.0	ACRES
SWY	NWW	3.2	ACRES	NWY	NEW	25.0	ACRES
CE1/	NIWI/	0 0	ACDEC	1111/4	CE/	TON 16	ACKES
NTE1/	CD1/	13 0	ACRES		250	CITON 16	
INE 74	SEM	13.9	ACRES				
NW%	SEX	7.1	ACRES	NW%	NEX	5.0	ACRES
SEX	SE%	9.0	ACRES	NW <sup>1</sup>	NW*	7.0	ACRES
	SECTI	ON 7			SE	CTION 17	
NEX	SWX	8.8	ACRES	NE%	NE%	2.5	ACRES
NWX	SWX	8.4	ACRES		SEC	CTION 18	
SWX	SWX	10.0	ACRES	7	OWNSH	IP 4 SOU	TH.
SEX	SWX	4.0	ACRES	RA	NGE 1	2 EAST.	W.M.
SWY	SEY	5.0	ACRES				
D1174	SECTI	ON 8		MEL	CMI	7 4	ACDEC
	DECT	.014 0		MINTAL /	CMI/	20.0	ACRES
ATTEST /	3.TT.73 /	4 0	N CDEC	MAM	OMA!	20.0	ACRES
NEX	MW.	4.0	ACRES	SEX	SW%	11.5	ACRES
NWX	NW%	4.0	ACRES	NWX	SEX	4.0	ACRES
SEX	NW%	4.0	ACRES	SWX	SEX	8.6	ACRES
SEX	SE%	10.1	ACRES		SE	CTION 5	
	SECT	ON 9					
				NEX	SWX	20.6	ACRES
NEX	NE%	6.6	ACRES	NWX	SWX	10.0	ACRES
NWX	NE%	3.2	ACRES	SEX	SWX	37.0	ACRES
SEX	NEX	11.7	ACRES	SWX	SEX	20.0	ACRES
	SECTI	ON 10			SE	CTION 6	
NEX	NEX	17.8	ACRES	NWX	NEX	20.0	ACRES
NWX	NEX	7.8	ACRES	SWX	NEX	25.3	ACRES
SWY	NEX	0.7	ACRE	SEY	NEX	18.0	ACRES
SEY	NEW	26.6	ACRES	NWY	NWY	20.0	ACRES
NEV	NWL	7 1	ACRES	CM1/	NWW	8 5	ACDEC
NIMI/	NTW1/	2 9	ACDEC	CE1/	NTM1/	11 0	ACRES
CEL	BUILTI.	2.3	ACRES	CMI/	TAMA!	11.0	ACRES
SEA	MAM	ON 11	ACRES	OFIL	OMA	5.0	ACRES
	SECTI	ON II		SEX	SWM	4.4	ACRES
				NEX	SEX	8.0	ACRES
NEX	NEX	20.0	ACRES	NMX	SEX	2.8	ACRES
SEX	NE%	5.0	ACRES		SE	CTION 7	
NEX	NW-X	5.0	ACRES				
SEX	SW*	2.1	ACRES	NEX	NW-X	20.0	ACRES
	SECTI	ON 12		SWX	NWX	22.8	ACRES
				SEX	NWX	7.6	ACRES
NEX	NE%	5.0	ACRES	NEX	SWX	5.0	ACRES
NWX	NEX	4.0	ACRES		SE	CTION 8	
	SECTI	ON 13					
				NEY	SWY	6.2	ACRES
NEY	NW¥	8.4	ACRES	SEY	SWY	7.0	ACRES
/4	SECTI	ON 15			SE	CTION 9	
					COWNSE	TP 4 SOT	וייו
				P	NGE 1	3 EAST,	WM
				24			11 0 7.7 4

This certificate describes that portion of the water right confirmed by Certificate 46531, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 27, 1979, approving Transfer 4312, and entered proving Transfer Application 8215.

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.

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WATER RESOURCES DEPT.
SALEM, OREGON

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.

WITNESS the signature of the Water Resources

Director, affixed \_\_\_\_\_JUN 041999 .

/S/ Tom Paul (frr)
Martha O. Pagel, Director

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AIIG 1 6 2006

WATER RESOURCES DEPT. SALEM, OREGON

Recorded in State Record of Water Right Certificates numbered 76222. T-8215.LHN STATE OF OREGON

For T-9990: (Suppl. from Res. only) 3.0 Ac x 3.0 1/2 = 9.0 AF

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT For T-10016: (Primary from direct flow)

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT 80309 ROSS ROAD TYGH VALLEY, OREGON 97063

19,72 cfs = 0.0132 cfs/Az 2.7 Ac X O. 0132 cfs/Ac = 0.0356 cfs

confirms the right to use the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of (1488.5) ACRES and SUPPLEMENTAL IRRIGATION of (406.04) For T-10016: - 2.7 1c

This right was perfected under Permit 27390. The date of priority is MACH 22, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 19.72 CUBIC FOOT PER SECOND, from direct flow, or its equivalent in case of rotation, measured at the points of diversion from the source.

- 0.036 cfs (7-10016)

The points of diversion are located as follows:

NE% SW%, SECTION 29, T 3 S, R 11 E, WM; BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER, SECTION 29; and

SW% SW%, SECTION 16, T 3 S, R 10 E, WM; BADGER LAKE - 400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER, SECTION 16.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773 and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amound secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein.

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:

#### PRIMARY

NEX	NEX	2.60	ACRES	NEX	NWX	2.00	ACRES
SWX	NE 1	3.60	ACRES	NWX	NW1/	12.40	ACRES
SEX	NE%	19.10	ACRES	SWX	NWX	1.60	ACRES
NEX	NWX	8.80	ACRES	SEX	NWX	7.10	ACRES
SEX	NW1/	0.20	ACRE	NE X	SWX	23.70	ACRES
NE%	SW1/4	21.90	ACRES	NWX	SWX	13.90	ACRES
NWX	SW1/	8.00	ACRES	NEX	SEX	8.80	ACRES
SWX	SWX	0.50	ACRE	NWX	SEX	38.90	ACRES
SEX	SWX	5.20	ACRES	SWX	SEX	12.20	ACRES
NEX	SEX	29.35	ACRES	SEX	SEX	9.20	ACRES
NWX	SE14	12.80	ACRES		SECT	ON 2	
SWX	SEX	11.60	ACRES				

8.80 ACRES

SECTION 1

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WATER RESOURCES DEPT. SALEM. OREGON

```
    NEW NEW
    26.20 ACRES

    NWW NEW
    16.80 ACRES

    NEW NWW
    13.60 ACRES

    NWW NWW
    3.00 ACRES

            9.40 ACRES
8.30 ACRES
11.20 ACRES
NWX NEX
SWX NEX
SEX NEX
               5.10 ACRES
NE% NW%
                                                     SECTION 13
NWX NWX
               10.00 ACRES
               12.60 ACRES
NEX SEX
                                               NEX NEX
                                                              12.40 ACRES
             11.80 ACRES
NWX SEX
           2.90 ACRES
4.90 ACRES
                                                    SECTION 14
SWX SEX
SEX SEX
                                               NWX NWX
                                                              4.80 ACRES
SECTION 3
                                                              14.30 ACRES
                                                SECTION 15
              9.00 ACRES
NEX NEX
            1.00 ACRES
8.30 ACRES
7.90 ACRES
NW% NE%
                                               NEX NEX
                                                             20.80 ACRES
NEW NWW
                                               NW% NE% 4.70 ACRES
NE% NW% 1.00 ACRES
SWX NWX
           5.20 ACRES
2.60 ACRES
SEX NWX
                                                SECTION 16
SEX SWX
     SECTION 4

    NWW NEW
    1.40 ACRES

    NEW NWW
    3.20 ACRES

    NWW NWW
    5.00 ACRES

NW% NW% 9.85 ACRES
SW% SE% 7.20 ACRES
SE% SE% 9.80 ACRES
                                               SECTION 17
    SECTION 7
                                               NE% NE% 3.80 ACRES
NW% NE% 2.05 ACRES
               7.60 ACRES
NEX SWX
                                                    SECTION 18
                                               TOWNSHIP 4 SOUTH,
          6.80 ACRES
20.20 ACRES
13.00 ACRES
12.00 ACRES
10.70 ACRES
0.50 ACRES
NWX SWX
               6.80 ACRES
SWX SWX
                                               RANGE 12 EAST, W.M.
SEX SWX
NEW SEX
                                               NEX SWX
                                                              1.40 ACRES
SWX SEX
                                                          12.80 ACRES
28.40 ACRES
                                               NWW SWW
SEX SEX
                                               SWX SWX
     SECTION 8
                                                          24.70 ACRES
1.80 ACRES
3.80 ACRES
                                               SE% SW%
                                               NWX SEX
             39.10 ACRES
NEX SWX
                                               SW% SE%
NWX SWX
               1.65 ACRES
           26.80 ACRES
                                                 SECTION 5
SWX SEX
SEX SEX
      SECTION 9
                                               SWX NWX
                                                               4.60 ACRES
                                                            1.70 ACRES
9.90 ACRES
                                               SEX NWX
          11.60 ACRES
3.90 ACRES
28.70 ACRES
30.00 ACRES
NEX NEX
                                               NEX SWX
                                                           23.30 ACRES
38.00 ACRES
                                               NWX SWX
SEX NEX
                                               SWX SWX
NEW SEX
                                               SEX SWX
                                                              0.60 ACRE
NWX SEX
                                               NEX SEX
                                                              18.80 ACRES
     SECTION 10
                                                          28.90 ACRES
18.20 ACRES
                                                             28.90 ACRES
                                               NWX SEX
           10.00 ACRES
2.10 ACRES
1.10 ACRES
                                               SWX SEX
NW% NE%
                                                              14.90 ACRES
                                               SEX SEX
SWX NEX
                                                 SECTION 6
NWX NWX
               18.20 ACRES
SWW NWW
            15.90 ACRES
                                                             20.20 ACRES
                                               NEX NEX
SEX NWX
              3.35 ACRES
7.00 ACRES
                                                              9.70 ACRES
                                               NW% NE%
NEX SWX
                                                              12.00 ACRES
NWX SWX
                                               SWX NEX
                                               SEX NEX
                                                              4.30 ACRES
              16.50 ACRES
SWX SWX
           12.20 ACRES
3.45 ACRES
                                                          11.40 ACRES
SEX SWX
                                               NEX NWX
                                               NW% NW% 17.30 ACRES
SW% NW% 18.60 ACRES
SE% NW% 13.30 ACRES
SWX SEX
   SECTION 11
                                                     SECTION 7
               18.50 ACRES
NEX NEX
                                              SW% SW% 11.00 ACRES 7-100/6
NE% SE% 6.00 ACRES 2.70
NW% SE% 2.80 ACRES
SECTION 7
             23.00 ACRES
                                                                                         RR
NW% NE%
              7.50 ACRES
1.60 ACRES
SEX NEX
                                                                                         3.30
NE% NW%
NWX NWX
             20.70 ACRES
               12.80 ACRES
SWX NWX
               16.20 ACRES
SEX NWX
               13.70 ACRES
SE% SW%
           6.90 ACRES
1.80 ACRES
                                                                         RECEIVED
SW% SE%
SEX SEX
      SECTION 12
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WATER RESOURCES DEPT. SALEM, OREGON

NEX NWX SEX NEX SEX NEX NWX SWX	NWW NWW NWW SWW SWW SEW SEW SEW SEW SEW	17.70 5.50 10.80 3.60 7.60 0.30 34.00 20.00 9.20	ACRES		NEX NWX SEX NEX NEX NWX	SWX SWX SWX SEX SEX SECT COWNSHIP NGE 13	7.00 9.80 1.90 1.70 4.80 16.40 ION 9 4 SOUT EAST, W	ACRES ACRES ACRES ACRES ACRES ACRES ACRES	
	SECTION	,			SWX SEX T RA	SWX SWX SECTI OWNSHIP NGE 12	3.60 0.20 ON 34 3 SOUT EAST, W	ACRES ACRE H,	
			ACRES 3.0 ACRE ACRE ACRE ACRE ACRE	RESE	ILVOI	₩,			
SE1/4	NE¼	11.90	ACRES 1-9970	111	NW1/4	NEX	12.30	ACRES	
SW1/4	NW1/4	10.58	ACRES 3.0	7.58	SE1/4	NE%	1.00	ACRE	
NEX	SW¥	0.90	ACRE .		NE1/4	NW1/	6.00	ACRES	
NE%	SEX	0.05	ACRE		NWX	NW%	3.24	ACRES	
NMX	SEX	0.45	ACRE		SWX	NW%	2.00	ACKES	
SWX	SEX	0.30	ACRE		SEM	CECL)	ON 12	ACKED	
SEX	SEM	U.∠U	ACRE			DECI	.011		
	SECTIV	714 1			NW¥	NE¼ NW¼ SECTI	4.00	ACRES	
CWY	NWY	8.20	ACRES		NWX	NWX	14.00	ACRES	
SEV	NW¾ NW¾	27.30							
NEX	SW¥	8.40	ACRES						
SWX	SW¥	3.60	ACRES ACRES ACRES		NEX	NWX	4.00	ACRES	
NEX	SEX	9.24	ACRES		NWX	NW*	5.24	ACRES	
	SECTION	JN 2				SECI.	LON TO		
			ACRES ACRES ACRES ACRES ACRES				4 00	2 00 00	
SWX	NE%	2.90	ACRES		NEX	NWX	4.20	ACRES	
SEX	NE%	8.00	ACRES			SECT.	LON 17		
NE%	NWX	0.70	ACRE		BIEL	MEL	0 90	ACDE	
NEX	SE%	5.86	ACRES		MEM	SECT	ON 18	ACIO	
	SECTIO	JIN 3			7	OWNSHIP	4 SOUT	Ή.	
SWY	NW⁴∡	2.50	ACRES		RA	NGE 12	EAST, W	.M.	
SEY	NW¥	8.28	ACRES						
~-A	SECTIO	ON 4			SWX	SWX	0.20	ACRE	
						SECT NW% SW% SW%	ION 5		
SEX	NW¥		ACRES						
	SECTIO	ON 5			SWX	NW%	4.60	ACRES	
					NEX	SWX	4.00	ACRES	
NWX	NWX	3.50	ACRES ACRES		NW%	SW%	1 90	ACRES	
SEX			ACRES		SEIV	SEX	4 30	ACRES	
	SECTIO	JIN /			SEA		ION 6	ACMID	
CEV	SW¥	2 80	ACRES			0201	1011		
SEA	SECTIO		TICKEO		NEX	NEX	9.80	ACRES	
					NWX	NEX	10.00	ACRES	
NEX	SEX	0.30	ACRE		SWX	NE¼ NE¼	1.00	ACRES	
NWX	SEX SEX	0.60	ACRE			SECT	ION 7		
	SECTIO	N 10	٠.						
					SWX	NE%	23.00	ACRES	
NWX	NE¥ NW¥	1.60	ACRES		SEX	NEX NWX	26.60	ACRES	
NEX	NW.	0.90	ACRE		MMX	MM%	TON 0	ACRES	
NW1	NW% SW%	4.20	ACKES			SECT	TOM 9		
CP11	CMM/	4 50	ACRES		NWY	SWY	3.50	ACRES	
CE1/	SWX SWX	6 00	ACRES		SWY	SW% SW%	1.10	ACRES	
- N	SECTIO	N 11				SECT	ION 9		
	220110				T	OWNSHIP	4 SOUT	Ή,	
					RA	NGE 13	EAST, W	И.М.	

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WATER RESOURCES DEPT

#### SUPPLEMENTAL - STREAM AND RESERVOIR

SWX SEX 1.00 ACRE SEX SWX 21.40 ACRES SECTION 9 SECTION 12 NE% NW% SWX NEX 6.00 ACRES 20.00 ACRES SEX NEX SECTION 13 4.60 ACRES TOWNSHIP 4 SOUTH, NEX SEX 4.60 ACRES RANGE 12 EAST, W.M. SECTION 10 NW% NE% 5.00 ACRES NEX NWX 10.00 ACRES 6.20 ACRES NWX NWX SW% NW% 3.00 ACRES 13.50 ACRES NWW SWW SEX SWX 4.60 ACRES SECTION 11

This certificate describes that portion of the water right confirmed by Certificate 46368, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 29, 1979, approving Transfer 4314, entered April 22, 1981, approving Transfer 4704, entered January 19, 1982, approving Transfer 4800, entered June 14, 1985, approving Transfer 5551, entered June 14, 1985, approving Transfer 5553, and entered \_\_\_\_\_\_\_\_, approving Transfer Application 8215.

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.

WITNESS the signature of the Water Resources Director,

affived	JUN 04 1999

/S/ Tom Paul (for)
Martha O. Pagel, Director

AUG 1 6 2006
WATER RESOURCES DEPT.
SALEM, OREGON

Recorded in State Record of Water Right Certificates numbered 76223.

T-8215.LHN

Suppl. from Res. only

3550.0AF

11.5 AC

x 1.034 AF/A

= 11.891 AF

1,034 AF/A

## STATE OF OREGON

COUNTY OF

WASCO

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC. & DEPARTMENT OF FISH & WILDLIFE

of Route 1, Box 27, Tygh Valley , State of Oregon 97063 proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Pine Hollow Reservoir constructed under Permit R-5250

a tributary of White River

for the purpose of irrigation of 0.6 acre, supplemental irrigation of 3,434.9 acres and recreation

and that said right to the use of said waters has been perfected in under Permit No. 33228 accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 23, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only for irrigation and 15.0 cubic feet per second from Badger Creek for recreation

- 11. 87 AF
or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 SW 1/4, Section 29, T3S, R11E, WM; Badger Creek - 1,290 feet South and 550 feet West from C 1/4 Corner, Section 29; NE 1/4 NW 1/4, Section 10, T4S, R12E, WM; Pine Hollow Reservoir -700 feet South and 1,930 feet East from NW Corner, Section 10

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 -----of-one-cubic-foot-per-second per-acre, a diversion of 3 acre-feet for each acre irrigated during the irrigation season of each year and further limited to the use of stored water only on the lands described as supplemental. Water from the reservoir is to provide a supplemental irrigation supply for lands being benefitted by exhange of water with lands below the reservoir under the terms of an agreement between the Badger Improvement District and Pine Hollow Cooperative, Inc., and the Pine Hollow Cooperative Water Users agreement. In the exchange, upper and shall

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

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

\*lands use water diverted for the lower lands entitled thereto and replace it in a like amount from the reservoir authorized under Permit R-5250.

SEE NEXT PAGE

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T-1990

- September - Sept	The second secon
	page two
Acres of land to receive benefit by	a 17.2 acres NE 1/4 NW 1/4
water exchange	24.8 acres NW 1/4 NW 1/4
Nater chaining	Section 15
0.8 acre NE 1/4 NE 1/4	
6.0 acres NW 1/4 NE 1/4	30.8 acres NE 1/4 NE 1/4
Section 12	32.0 acres NW 1/4 NE 1/4
Township 4 South, Range 11 East,	32.0 acres NW 1/4 NE 1/4 WM 1.0 acre NE 1/4 NW 1/4 Section 16
	Section 16
22.4 acres NW 1/4 NE 1/4	6 4 NH 3 /4 NF 3 /4
38.8 acres SW 1/4 NE 1/4 38.8 acres NE 1/4 NW 1/4	6.4 acres NW 1/4 NE 1/4 7.4 acres NE 1/4 NW 1/4
23.2 acres NW 1/4 NW 1/4	12.0 acres NW 1/4 NW 1/4
Section 3	Section 17
000120112	
14.4 acres NE 1/4 NE 1/4	14.8 acres NE 1/4 NE 1/4
26.4 acres NW 1/4 NE 1/4	2.8 acres NW 1/4 NE 1/4
26.4 acres NW 1/4 NE 1/4 14.3 acres NE 1/4 NW 1/4 10.4 acres SW 1/4 NW 1/4	Section 18
10.4 acres SW 1/4 NW 1/4	Township 4 South, Range 12 East, WM
25.2 acres SE 1/4 NW 1/4 11.7 acres SW 1/4 SW 1/4	
10.4 acres SE 1/4 SW 1/4	4.0 acres SW 1/4 SW 1/4
Section 4	4.5 acres SW 1/4 SE 1/4
Section 4	7.9 acres SE 1/4 SE 1/4
10.8 acres NE 1/4 NE 1/4	Section 33
3.4 acres NW 1/4 NE 1/4	
1.9 acres NE 1/4 NW 1/4	3.6 acres SW 1/4 SW 1/4
0.2 acre NW 1/4 NW 1/4	0.2 acre SE 1/4 SW 1/4
2.9 acre SW 1/4 NW 1/4	3.6 acres SW 1/4 SW 1/4 0.2 acre SE 1/4 SW 1/4 Section 34
16.3 acres SE 1/4 NW 1/4	Township 3 South, Range 12 East, WM;  Acres of land direct from Pine Hollow
2.0 acres NW 1/4 SW 1/4	Acres of land direct from Pine Hollow
13.2 acres SW 1/4 SW 1/4	0
3.8 acres SE 1/4 SW 1/4	2.6 acres NE 1/4 NE 1/4
Section 5	16.2 acres NW 1/4 NE 1/4
31.05 acres NW 1/4 NW 1/4 10.4 acres SW 1/4 NW 1/4	37.6 acres SW 1/4 NE 1/4
31.05 acres NW 1/4 NW 1/4	31.0 acres SE 1/4 NE 1/4
	9.4 acres NE 1/4 NW 1/4 14.7 acres SW 1/4 NW 1/4 2.7 acres SW 1/4 NW 1/4 2.6 //-/
1.4 acres SE 1/4 NW 1/4 12.0 acres NE 1/4 SW 1/4	14.7 acres SW 1/4 NW 1/4 3.6 //./ 37.2 acres SE 1/4 NW 1/4 7.9 29.3
13.9 acres NE 1/4 SE 1/4	22.8 acres NE 1/4 SW 1/4
7.1 acres NW 1/4 SE 1/4	8.0 acres NW 1/4 SW 1/4
7.2 acres SW 1/4 SE 1/4	0.5 acre SW 1/4 SW 1/4
38.8 acres SE 1/4 SE 1/4	24.8 acres SE 1/4 SW 1/4
Section 7	39.4 acres NE 1/4 SE 1/4
	37.6 acres NW 1/4 SE 1/4
16.4 acres NE 1/4 SW 1/4	39.6 acres SW 1/4 SE 1/4
15.2 acres NW 1/4 SW 1/4 38.2 acres SW 1/4 SW 1/4	40.0 acres SE 1/4 SE 1/4 Section 1
19.8 acres SE 1/4 SW 1/4	Section 1
32.0 acres NE 1/4 SE 1/4	1.0 acre SE 1/4 NE 1/4
24.8 acres NW 1/4 SE 1/4	2.0 acres NE 1/4 NW 1/4
15.7 acres SW 1/4 SE 1/4	12.4 acres NW 1/4 NW 1/4
0.5 acre SE 1/4 SE 1/4	35.6 acres SW 1/4 NW 1/4
Section 8	34.4 acres SE 1/4 NW 1/4
23.7 acres SW 1/4 NE 1/4	39.1 acres NE 1/4 SW 1/4 27.2 acres NW 1/4 SW 1/4
35.5 acres NE 1/4 NW 1/4	25.5 acres SW 1/4 SW 1/4
30.5 acres NW 1/4 NW 1/4	17.2 acres SE 1/4 SW 1/4
8.2 acres SW 1/4 NW 1/4	39.4 acres NE 1/4 SE 1/4
15.1 acres SE 1/4 NW 1/4	38.9 acres NW 1/4 SE 1/4
39.1 acres NE 1/4 SW 1/4	13.7 acres SW 1/4 SE 1/4
24.4 acres NW 1/4 SW 1/4	38.6 acres SE 1/4 SE 1/4
34.7 acres NW 1/4 SE 1/4	Section 2 RECEIVED
34.8 acres SW 1/4 SE 1/4 35.2 acres SE 1/4 SE 1/4	36 2 cores SE 1/4 NE 1/4
Section 9	36.2 acres SE 1/4 NE 1/4 36.6 acres NE 1/4 SE 1/4
300020117	36.6 acres NE 1/4 SE 1/4 27.8 acres NW 1/4 SE 1/4 AUG 1 6 2006
39.7 acres SW 1/4 NE 1/4	0.0 174 3.44 65 3.44
20.2 acres SE 1/4 NE 1/4	20 0 DONG SE 1/4 SE 1/4 WATER RESUURIGES DEPT.
40.6 acres NE 1/4 SE 1/4	Section 3 SALEM, OREGON
40.6 acres NW 1/4 SE 1/4	
Section 10	18.2 acres NE 1/4 NE 1/4
	3.2 acres NW 1/4 NE 1/4
	Section 10

NW 1/4 NE 1/4 17.8 acres NE 1/4 NE 1/4 N 1/2 NW 1/4 23.4 acres NW 1/4 NE 1/4 2.8 acres SW 1/4 NE 1/4 Section 10 26.8 acres SE 1/4 NE 1/4 Township 4 South, Range 12 East, WM 37.6 acres NE 1/4 NW 1/4 14.4 acres NW 1/4 NW 1/4 12.4 acres NE 1/4 NE 1/4 21.2 acres SW 1/4 NW 1/4 Section 14 19.0 acres SE 1/4 NW 1/4 Township 4 South, Range 12 East, WM 31.6 acres NE 1/4 SW 1/4 40.6 acres NW 1/4 SW 1/4 9.2 acres SW 1/4 NW 1/4 24.0 acres SW 1/4 SW 1/4 1.7 acres SE 1/4 NW 1/4 22.8 acres SE 1/4 SW 1/4 18.8 acres NE 1/4 SE 1/4 34.5 acres NE 1/4 SW 1/4 37.9 acres NW 1/4 SW 1/4 38.0 acres SW 1/4 SW 1/4 17.0 acres NW 1/4 SE 1/4 8.3 acres SW 1/4 SE 1/4 37.6 acres SE 1/4 SW 1/4 12.8 acres SE 1/4 SE 1/4 28.8 acres NE 1/4 SE 1/4 38.9 acres NW 1/4 SE 1/4 Section 11 40.0 acres SW 1/4 SE 1/4 38.5 acres NE 1/4 NE 1/4 39.2 acres SE 1/4 SE 1/4 36.0 acres NW 1/4 NE 1/4 Section 6 24.8 acres SW 1/4 NE 1/4 13.5 acres SE 1/4 NE 1/4 39.4 acres NE 1/4 NE 1/4 12.6 acres NE 1/4 NW 1/4 38.7 acres NW 1/4 NW 1/4 39.7 acres NW 1/4 NE 1/4 37.3 acres SW 1/4 NE 1/4 31.6 acres SW 1/4 NW 1/4 33.3 acres SE 1/4 NE 1/4 21.8 acres SE 1/4 NW 1/4 38.2 acres NE 1/4 NW 1/4 15.3 acres NW 1/4 SW 1/4 37.3 acres NW 1/4 NW 1/4 28.1 acres SW 1/4 NW 1/4 32.8 acres SW 1/4 SW 1/4 37.2 acres SE 1/4 SW 1/4 24.3 acres SE 1/4 NW 1/4 20.4 acres SW 1/4 SE 1/4 16.0 acres SW 1/4 SW 1/4 4.4 acres SE 1/4 SW 1/4 1.8 acres SE 1/4 SE 1/4 Section 12 1.05 acres NW 1/4 SE 1/4 Section 7 31.2 acres NE 1/4 NE 1/4 32.8 acres NW 1/4 NE 1/4 0.2 acre NW 1/4 NW 1/4 37.6 acres NE 1/4 NW 1/4 Section 18 Township 4 South, Range 13 East, WM 28.0 acres NW 1/4 NW 1/4 Section 13 Township 4 South, Range 12 East, WM PRIMARY IRRIGATION

> RECREATION S 1/2 NW 1/4 SW 1/4 SW 1/4 SE 1/4 Section 3 SE 1/4 SE 1/4 S 1/2 NE 1/4 N 1/2 SE 1/4 Section 4

0.6 acres SE 1/4 NE 1/4 Section 12 Township 4 South, Range 12 East, WM

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WATER RESOURCES DEPT. SALEM, OREGON

page four

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

Under Exchange

0.9 acre NE 1/4 NW 1/4 0.1 acre NW 1/4 NW 1/4 Section 4 Township 4 South, Range 12 East, WM Direct from Reservoir

21.1 acres SE 1/4 NE 1/4
2.5 acres NE 1/4 SE 1/4
Section 12
Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4
Section 7
Township 4 South, Range 13 East, WM

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WATER RESOURCES DEPT. SALEM, OREGON

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. February 24, 1983

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51486

V OR

# STATE OF OREGON

COUNTY OF

WASCO

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC.

of Route 1, Box 27, Tygh Valley , State of Oregon 97063, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Three Mile Creek and Pine Hollow Reservoir, constructed under Permit R-6368

-11,5 Ac

a tributary of White River supplemental irrigation of 3,435.5 acres

for the purpose of

under Permit No. 39616 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 1, 1975

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only

- 11.88 AF

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the  $\,$  SW  $\,$ 1/4  $\,$  NW  $\,$ 1/4,  $\,$  Section 11,  $\,$  T4S,  $\,$  R11E,  $\,$  WM; Three Mile Creek - 1,530 feet South and 4,580 feet West from NE Corner, Section 11

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

SEE NEXT PAGE

RECEIVED

AUG 1 6 2006

WATER RESOURCES DEPT. SALEM, OREGON

1-9990

T-8080

T-9990: Suppl. from Res. only

3550.0 AF 3435.5 Ac 1,033 AF/AC

1.033AF/AL × 11.5 AL = 11.886 AF

F COLUMN TO THE TOTAL THE STATE OF THE STATE	10	
	page two	
Acres of land to receive benefit by		
water exchange	24.8 acres NW 1/4 NW 1/4 Section 15	
0.8 acre NE 1/4 NE 1/4	ii l	
6.0 acres NW 1/4 NE 1/4	30.8 acres NE 1/4 NE 1/4	
Section 12 Township 4 South, Range 11 East, N	32.0 acres NW 1/4 NE 1/4 WM 1.0 acre NE 1/4 NW 1/4	
	Section 16	
22.4 acres NW 1/4 NE 1/4 38.8 acres SW 1/4 NE 1/4	6.4 acres NW 1/4 NE 1/4	
38.8 acres NE 1/4 NW 1/4	7.4 acres NE 1/4 NW 1/4 12.0 acres NW 1/4 NW 1/4	
23.2 acres NW 1/4 NW 1/4 Section 3	Section 17	
14.4 acres NE 1/4 NE 1/4	14.8 acres NE 1/4 NE 1/4	
26.4 acres NW 1/4 NE 1/4	2.8 acres NW 1/4 NE 1/4	
14.3 acres NE 1/4 NW 1/4 10.4 acres SW 1/4 NW 1/4	Section 18 Township 4 South, Range 12 East, WM	
25.2 acres SE 1/4 NW 1/4		
11.7 acres SW 1/4 SW 1/4 10.4 acres SE 1/4 SW 1/4	4.0 acres SW 1/4 SW 1/4 4.5 acres SW 1/4 SE 1/4	
Section 4	7.9 acres SE 1/4 SE 1/4	
10.8 acres NE 1/4 NE 1/4	Section 33	
3.4 acres NW 1/4 NE 1/4	3.6 acres SW 1/4 SW 1/4	
1.9 acres NE 1/4 NW 1/4 0.2 acre NW 1/4 NW 1/4	0.2 acre SE 1/4 SW 1/4	
2.9 acre SW 1/4 NW 1/4	Section 34 Township 3 South, Range 12 East, WM;	
16.3 acres SE 1/4 NW 1/4	Acres of land direct from Pine Hollow	
2.9 acres NW 1/4 SW 1/4	Reservoir T 9997	RR
13.2 acres SW 1/4 SW 1/4 3.8 acres SE 1/4 SW 1/4	2.6 acres NE 1/4 NE 1/4 16.2 acres NW 1/4 NE 1/4	-
Section 5	37.6 acres SW 1/4 NE 1/4	
31.05 acres NW 1/4 NW 1/4	31.0 acres SE 1/4 NE 1/4 9.4 acres NE 1/4 NW 1/4	
10.4 acres SW 1/4 NW 1/4	14.7 acres SW 1/4 NW 1/4 3.6	-1
1.4 acres SE 1/4 NW 1/4 12.0 acres NE 1/4 SW 1/4	37.2 acres SE 1/4 NW 1/4 7, 9	, 3
13.9 somes NE 1/4 SE 1/4	22.8 acres NE 1/4 SW 1/4 8.0 acres NW 1/4 SW 1/4	
7.1 acres NW 1/4 SE 1/4 7.2 acres SW 1/4 SE 1/4	0.5 acre SW 1/4 SW 1/4	
38.8 acres SE 1/4 SE 1/4	39.4 acres NE 1/4 SE 1/4	
Section 7	0.5 acre SW 1/4 SW 1/4  24.8 acres SE 1/4 SW 1/4  39.4 acres NE 1/4 SE 1/4  37.6 acres NW 1/4 SE 1/4  39.6 acres SW 1/4 SE 1/4	
16.4 acres NE 1/4 SW 1/4	40.0 acres SE 1/4 SE 1/4	
15.2 acres NW 1/4 SW 1/4 38.2 acres SW 1/4 SW 1/4	Section 1	
19.8 acres SE 1/4 SW 1/4	1.0 acre SE 1/4 NE 1/4	
32.0 acres NE 1/4 SE 1/4 24.8 acres NW 1/4 SE 1/4	2.0 acres NE 1/4 NW 1/4 12.4 acres NW 1/4 NW 1/4	
15.7 acres SW 1/4 SE 1/4	35.6 acres SW 1/4 NW 1/4	
0.5 acre SE 1/4 SE 1/4 Section 8	34.4 acres SE 1/4 NW 1/4 39.1 acres NE 1/4 SW 1/4	
	27.2 acres NW 1/4 SW 1/4	
23.7 acres SW 1/4 NE 1/4 35.5 acres NE 1/4 NW 1/4	25.5 acres SW 1/4 SW 1/4 17.2 acres SE 1/4 SW 1/4	
30.5 acres NW 1/4 NW 1/4	39.4 acres NE 1/4 SE 1/4	
8.2 acres SW 1/4 NW 1/4 15.1 acres SE 1/4 NW 1/4	38.9 acres NW 1/4 SE 1/4 13.7 acres SW 1/4 SE 1/4	
39.1 acres NE 1/4 SW 1/4	30 ( 65 ) ( 65 ) (	Personal States
24.4 acres NW 1/4 SW 1/4 34.7 acres NW 1/4 SE 1/4	Section 2 RECEIVI	
34.8 acres SW 1/4 SE 1/4	36.2 acres SE 1/4 NE 1/4	nc
35.2 acres SE 1/4 SE 1/4 Section 9	36.6 acres NE 1/4 SE 1/4 AUG 1 6 200 27.8 acres NW 1/4 SE 1/4	
	8.8 acres SW 1/4 SF 1/4 WATER RESURROES	DEPT
39.7 acres SW 1/4 NE 1/4 20.2 acres SE 1/4 NE 1/4	28.8 acres SE 1/4 SE 1/4 SALEM, OREGO	IN
40.6 acres NE 1/4 SE 1/4		
40.6 acres NW 1/4 SE 1/4 Section 10	18.2 acres NE 1/4 NE 1/4 3.2 acres NW 1/4 NE 1/4	
33002011 20	Section 10	

18.2 acres NE 1/4 NE 1/4 3.2 acres NW 1/4 NE 1/4 Section 10

17.8 acres NE 1/4 NE	1/4	12.4 8		1/4 NE 1/4	
23.4 acres NW 1/4 NE	1/4		Secti		
2.8 acres SW 1/4 NE		Township 4	4 South,	Range 12 East,	WM
26.8 acres SE 1/4 NE	1/4				
37.6 acres NE 1/4 NW	1/4	9.2 8	acres SW	1/4 NW 1/4	
14.4 acres NW 1/4 NW				1/4 NW 1/4	
21.2 acres SW 1/4 NW		34.5	acres NE	1/4 SW 1/4	
19.0 acres SE 1/4 NW	11/4	37.9	acres NW	1/4 SW 1/4	
31.6 acres NE 1/4 SV		38.0	acres SW	1/4 SW 1/4	-
40.6 acres NW 1/4 SV	1/4	37.6	acres SE	1/4 SW 1/4	
24.0 acres SW 1/4 SW	11/4			1/4 SE 1/4	
24.0 acres SW 1/4 SW	1 1/4			1/4 SE 1/4	
22.8 acres SE 1/4 SV	1 1/4	40.0	acres SW	1/4 SE 1/4	
18.8 acres NE 1/4 SE	1/4	39.2	acres SF	1/4 SE 1/4	
17.0 acres NW 1/4 SE	1/4	37.2		ion 6	
8.3 acres SW 1/4 SE	1/4		3600.	1011 0	
12.8 acres SE 1/4 SE	1/4	70 4	coroe M	E 1/4 NE 1/4	-
Section 11			acres No	W 1/4 NE 1/4	
	- > //	39.7			
38.5 acres NE 1/4 NE				W 1/4 NE 1/4	
36.0 acres NW 1/4 NE	1/4	33.3		E 1/4 NE 1/4	
24.8 acres SW 1/4 NE				E 1/4 NW 1/4	
14.1 acres SE 1/4 NE	E 1/4	37.3		W 1/4 NW 1/4	
12.6 acres NE 1/4 N		28.1	acres S	W 1/4 NW 1/4	
38.7 acres NW 1/4 N	N 1/4	24.3	acres S	E 1/4 NW 1/4	
31.6 acres SW 1/4 N	N 1/4	16.0	acres S	W 1/4 SW 1/4	
21.8 acres SE 1/4 N	W 1/4	4.4	acres S	E 1/4 SW 1/4	
15.3 acres NW 1/4 S	W 1/4	1.05	acres N	W 1/4 SW 1/4 E 1/4 SW 1/4 W 1/4 SE 1/4 ion 7	
32.8 acres SW 1/4 S	W 1/4		Sect	ion 7	
37.2 acres SE 1/4 S	W 1/4				
20.4 acres SW 1/4 S	E 1/4	0.2	acre NW	1/4 NW 1/4	
1.8 acres SE 1/4 S	E 1/4		Secti	ion 18	
Section 12		Township	4 South.	Range 13 East,	, WM
,	,			-	
31.2 acres NE 1/4 N	E 1/4				
32.8 acres NW 1/4 N					
37.6 acres NE 1/4 N	W 1/4				
28.0 acres NW 1/4 N	W 1//				
TOO O OCTES IM TA IN	11 4/ 7				

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

#### Under Exchange

Section 13

0.9 acre NE 1/4 NW 1/4 0.1 acre NW 1/4 NW 1/4 Section 4 Township 4 South, Range 12 East, WM Direct from Reservoir

21.1 acres SE 1/4 NE 1/4 2.5 acres NE 1/4 SE 1/4 Section 12 Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4 Section 7 Township 4 South, Range 13 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies estable lished by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

1 6 2006 AUG

this date.

February 24, 1983

WATER RESUDEUES DEPT. SALEM, DREGON

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 9649A

# **Dorothy Pedersen**

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrd.state.or.us]

Sent: Tuesday, October 24, 2006 11:46 AM

To: 'Larry Toll'

Subject: T-9990 consent of owners

Larry,

I received the affidavit of consent from Durmac Ranches, Inc. and see that we now have consent of the owners of Parcel II listed on the Lot Book Report for T-9990.

We need a similar affidavit of consent from FDD Ranches, LLC, the owner of Parcel I. You have submitted a "notification" of the transfer that was mailed to FDD Ranches, however OAR 690-380-4010(5)(c) requires a notarized statement consenting to the transfer from each landowner mentioned in the Lot Book Report.

Once we receive the affidavit of consent from FDD Ranches LLC I'll forward the preliminary determinations for T-9990 and T-10016 for signature.

11-9-06

Thank you, Dorothy

Dorothy I. Pedersen Field Services Division Oregon Water Resources Department Dorothy.I.PEDERSEN@wrd.state.or.us 503-986-0890



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

July 25, 2006

McAllister Ranches 80455 Wamic Market Road Tygh Valley, OR 97063

SUBJECT: Applications T-9990 and T-10016

Enclosed find a draft of our Preliminary Determination regarding transfer application T-9990, and a revised draft of the preliminary determination for T-10016. The draft Preliminary Determinations reflect the Department's conclusion that, based on the information currently available, the transfers will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

Please note the shaded areas in Findings of Fact #5-#7 regarding the stock use. Certificate allows for both domestic and stock uses in addition to irrigation. The T-9990 application states that the domestic use is not involved with the transfer, but does not address the stock use. Please indicate whether the stock use connected with this place of use is to be included in the transfer or is to be cancelled. If the use of water for domestic and/or stock are being abandoned, please document that for the Department records by submitting an Affidavit of Partial Cancellation for the abandoned use(s) for the transferred portion of the right.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your response and the report of ownership and lien information. If we do not receive your response and the report by August 28, 2006, a Preliminary Determination may be issued rejecting the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.PEDERSEN@wrd.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen Field Services Division

cc: Larry Toll, applicant's agent

Gorothy S. Pedersen

Robert Wood, Jr, District 03 Watermaster

enc

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-9990, Wasco County	)	DRAFT
	)	PRELIMINARY DETERMINATION
	)	PROPOSING APPROVAL OF A
	)	CHANGE IN PLACE OF USE

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

# **Applicant**

MCALLISTER RANCH 80455 ROSS RD TYGH VALLEY OR 97063

### **Findings of Fact**

- 1. On August 5, 2005, Mcallister Ranches filed a transfer application to change the place of use under Certificates 7221, 46532, 80637, 76222, 76223, 51486, and 51487. The Department assigned the application number T-9990.
- 2. On November 27, 1979 Certificate 46532 was cancelled by an order of the Water Resources Director approving Transfer 4313. Certificate 82086 was issued to supersede Certificate 46532 and describes the portion of the right not affected by T-4313.
- 3. The portion of the first right to be transferred is as follows:

Certificate: 7221 in the name of F. A. MORROW (perfected under Permit S-6734)

Use: IRRIGATION of 3.0 ACRES Priority Date: APRIL 27, 1925

Rate: 0.039 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH of one cfs per acre Source: BADGER CREEK, tributary to WHITE RIVER

## **Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	1	SW NW	3.00			

4. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION							
Twp Rng Mer Sec					Acres		
4S	12E	WM	1	SW SW	1.2		
4S	12E	WM	1	SE SW	1.8		

5. The portion of the second right to be transferred is as follows:

Certificate: 82086 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

Permit S-15165)

Use: IRRIGATION of 5.3 ACRES and SUPPLEMENTAL IRRIGATION of 3.0 ACRES

and STOCK

Priority Date: OCTOBER 21, 1929

Rate: 0.133 CUBIC FOOT PER SECOND FROM BADGER CREEK FOR IRRIGATION

AND 0.054 CFS FROM BADGER LAKE FOR SUPPLEMENTAL IRRIGATION

Limit/Duty: ONE-FORTIETH of one cfs per acre up to July 1 of each year and thereafter not to exceed ONE-EIGHTIETH of one cfs per acre, not to exceed 1.0 acre-foot per acre during any 30 day period up to July 1<sup>st</sup> of each year and not to exceed 3.0 acre-feet per acre during any irrigation season

Source: BADGER CREEK AND BADGER LAKE RESERVOIR (constructed under

Permit R-773), tributary to WHITE RIVER

#### **Authorized Place of Use:**

	IRRIGATION and STOCK								
Twp Rng Mer Sec Q-Q									
4 S	12 E	WM	1	SW NW	2.3				
4 S	12 E	WM	1	SE NW	3.0				

SUPPLEMENTAL IRRIGATION and STOCK										
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	SE NW	3.0					

- 6. Certificate 82086 allows use of water for irrigation, supplemental irrigation, domestic and stock uses. The applicant has indicated that no domestic use is involved with this transfer.
- 7. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION and STOCK										
Twp	Rng	Mer	Sec	Q-Q	Acres					
4S	12E	WM	1	NE SW	2.3					
4S	12E	WM	1	NW SW	1.1					
4S	12E	WM	1	SW SW	1.0					
4S	12E	WM	1	SE SW	0.9					

SUPPLEMENTAL IRRIGATION and STOCK										
Twp	Rng	Mer	Sec	Q-Q	Acres					
4S	12E	WM	1	NE SW	0.3					
4S	12E	WM	1	NW SW	0.8					
4S	12E	WM	1	SW SW	1.0					
4S	12E	WM	1	SE SW	0.9					

8. The portion of the third right to be transferred is as follows:

Certificate: 80637 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

**Permit S-2163)** 

Use: IRRIGATION of 0.4 ACRES Priority Date: AUGUST 8, 1914

Rate: 0.005 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre per

year

Source: SOUTH FORK BADGER CREEK, tributary to TYGH CREEK

**Authorized Point of Diversion:** 

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	11 E	WM	32	SW NE	HIGHLAND DITCH - NORTH 65 DEGREES 21 MINUTES WEST, 1938.2 FEET FROM E1/4 CORNER, SECTION 32

#### **Authorized Place of Use:**

IRRIGATION										
Twp Rng Mer Sec Q-Q										
4 S	12 E	WM	1	SW NW	0.4					

9. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION									
Twp	Rng	TABLE IVICE		Q-Q	Acres				
4S	12E	WM	1	SE SW	0.4				

10. The portion of the fourth right to be transferred is as follows:

Certificate: 76222 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

Permit S-22633)

Use: IRRIGATION of 5.5 ACRES

Priority Date: APRIL 12, 1941 and MARCH 20, 1951

Rate: 0.138 CUBIC FOOT PER SECOND (CFS), BEING 0.067 CFS WITH PRIORITY DATE OF APRIL 12, 1941, AND 0.071 CFS WITH PRIORITY DATE OF MARCH 20,

1951

Limit/Duty: ONE-FORTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre per

year

Source: BADGER CREEK and a RESERVOIR(constructed under Permit R-773), tributary to WHITE RIVER

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	SW SW	NONE SPECIFIED
3 S	11 E	WM	29	NE SW	NONE SPECIFIED

# **Authorized Place of Use:**

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres				
4 S	12 E	WM	1	SW NW	0.6				
4 S	12 E	WM	1	SE NW	4.9				

11. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION										
Twp	Rng Mer		Sec	Q-Q	Acres					
4S	12 E	WM	1	SW SW	1.5					
4S	12 E	WM	1	SE SW	4.0					

12. The portion of the fifth right to be transferred is as follows:

Certificate: 76223 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

Permit S-27390)

Use: SUPPLEMENTAL IRRIGATION of 3.0 ACRES

Priority Date: MARCH 22, 1961

**Quantity: 9.0 ACRE FEET** 

Limit/Duty: Not to exceed 3.0 acre-feet per acre per year from storage from the reservoir

constructed under Permit R-773

Source: A RESERVOIR (constructed under Permit R-773), tributary to WHITE RIVER

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	sw sw	BADGER LAKE - 400 FEET NORTH & 800 FEET EAST FROM SW CORNER, SECTION 16

#### Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	1	SW NW	3.0			

13. Application T-9990 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION									
Twp	Twp Rng M		Sec	Q-Q	Acres				
4 S	12 E	WM	1	SW SW	1.2				
4 S	12 E	WM	1	SE SW	1.8				

14. The portion of the sixth right to be transferred is as follows:

Certificate: 51486 in the name of PINE HOLLOW COOPERATIVE, INC. & DEPTARTMENT OF FISH & WILDLIFE (perfected under Permit S-33228)

**Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES** 

Priority Date: JULY 23, 1968 Quantity: 11.89 ACRE FEET

Limit/Duty: Not to exceed 3 acre-feet per acre per year and further limited to the use of stored water only on lands described as supplemental. Water from the reservoir is to provide a supplemental irrigation supply for lands being benefited by exchange of water with lands below the reservoir under the terms of an agreement between the Badger Improvement District and Pine Hollow Cooperative, Inc., and the Pine Hollow Cooperative Water Users agreement. In the exchange, upper lands use water diverted for the lower lands entitled thereto and replace it in a like amount from the reservoir authorized under Permit R-5250.

Source: PINE HOLLOW RESERVOIR, constructed under Permit R-5250, tributary to

WHITE RIVER

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	12 E	WM	10	NE NW	PINE HOLLOW RESERVOIR - 700 FEET SOUTH & 1930 FEET EAST FROM NW CORNER, SECTION 10

#### **Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	SW NW	3.6					
4 S	12 E	WM	1	SE NW	7.9					

15. Application T-9990 proposes to change the place of use of the right to:

	SUPPLEMENTAL IRRIGATION											
Twp	Rng	Mer	Sec	Q-Q	Acres							
4 S	12 E	WM	1	NE SW	0.3							
4 S	12 E	WM	1	NW SW	0.8							
4 S	12 E	WM	1	SW SW	3.7							
4 S	12 E	WM	1	SE SW	6.7							

16. The portion of the seventh right to be transferred is as follows:

Certificate: 51487 in the name of PINE HOLLOW COOPERATIVE, INC. (perfected under

Permit S-39616)

Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: MAY 1, 1975 Quantity: 11.88 ACRE FEET

Limit/Duty: Not to exceed 3.0 acre-feet per acre per year. Water from the reservoir is to provide a supplemental supply for lands being benefited by exchange of water with lands

below the reservoir under the terms of an agreement between the Badger Improvement District and Pine Hollow Cooperative, Inc. and the Pine Hollow Cooperative Water Users agreement. In the exchange, upper lands use water diverted for the lower lands entitled thereto and replace it in like amount from the reservoir.

**Source:** PINE HOLLOW RESERVOIR, constructed under Permit R-6368, tributary to WHITE RIVER

#### **Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM 1 SW N	SW NW	3.6						
4 S	12 E	WM	1	SE NW	7.9					

17. Application T-9990 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	NE SW	0.3					
4 S	12 E	WM	1	NW SW	0.8					
4 S	12 E	WM	1	SW SW	3.7					
4 S	12 E	WM	1	SE SW	6.7					

- 18. Notice of the application for transfer was published on August 16, 2005, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
- 19. Transfer application T-9990 is being processed concurrently with transfer applications T-8080 and T-10016 which also affect Certificates 51486, 51487, 76222, 76223, and 80637. Upon issuance of the final orders for these transfers, new certificates will be issued that reflect the changes resulting from the above reference transfer applications.
- 20. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 21. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- 22. The Department requires a suitable device for measuring and recording the quantity of water diverted under the right. Currently the Badger Improvement District has a headgate and Parshall flume at the point of diversion that satisfies this requirement.
- 23. The proposed change would not result in enlargement of the right.
- 24. The proposed change would not result in injury to other water rights.

# **Determination and Proposed Action**

The proposed changes in place of use in application T-9990 appear to be consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

- 1. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7221, 82086, 80637, 76222, 76223, 51486, 51487, and any related decree.
- 2. Upon issuance of a final order approving Transfer T-9990, Certificates 7221, 82086, 80637, 76222, 76223, 51486, 51487 will be cancelled. New certificates will be issued describing the portions of the rights not affected by the transfer.
- 3. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1**, **2007**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- 4. The former place of use of the transferred water shall no longer receive water as part of these rights.

Dated at Salem, Oregon this	day of	2006.	
DRAFT			
Phillip C. Ward, Director	<u>-</u>		

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor under supervision by Dorothy Pedersen. If you have questions about the information in this document, you may reach me at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us.

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-9990, Wasco County

# DRAFT

PRELIMINARY DETERMINATION PROPOSING APPROVAL OF A CHANGE IN PLACE OF USE

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

# Applicant

MCALLISTER RANCHES 80455 WAMIC MARKET RD TYGH VALLEY OR 97063

# **Findings of Fact**

On August 5, 2005, Modlister Ranches filed a transfer application to change the place of use under Certificates 7221, 46532, 80637, 76222, 76223, 51486, and 51487. The Department assigned the application number T-9990. cancelled + superseded by 8

2. The portion of the first right to be transferred is as follows:

Certificate: 7221 in the name of F. A. MORROW (perfected under Permit S-6734)

Use: IRRIGATION of 3.0 ACRES Priority Date: APRIL 27, 1925

Rate: 0.0375 CUBIC FEET PER SECOND 0.039

\* Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: BADGER CREEK, tributary to WHITE RIVER

**Authorized Point of Diversion:** 

1	Tw	y po	Ri	rg	Mer	Sec	Q-Q	GLot	DLC	Survey	Coordinates
7	38		11 E		WM	32	SW NE			NOT SPECIFI	ED

Authorized Place of Use:

		]	IRRIG	ATION			
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SW NW			3.00▶

3. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres			
4S	12E	WM	1	SW SW	X	V	1.2			
4S	12E	WM	1	SE SW			1.8			

4. The portion of the second right to be transferred is as follows:

Certificate: 46532 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

Permit S-15165)

Use: IRRIGATION of 5.3 ACRES and SUPPLEMENTAL IRRIGATION of 3.0 ACRES

Priority Date: OCTOBER 21, 1929

Rate: 0.133 CUBIC FEET PER SECOND FROM BADGER CREEK FOR IRRIGATION AND 0.054 CFS FROM BADGER LAKE FOR SUPPLEMENTAL IRRIGATION

**Limit/Duty:** ONE-FORTIETH of sper acre up to July 1 of each year and thereafter not to exceed ONE-EIGHTIETH of sper acre, not to exceed 1.0 acre-foot per acre during any 30 day period up to July 1<sup>st</sup> of each year and not to exceed 3.0 acre-feet per acre during any irrigation season

Source: BADGE CREEK AND BADGER LAKE RESERVOIR, tributary to WHITE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
2.0	10 E	WM	16	SW SW	L X	- X	NONE SPECIFIED
3 3	10 L	AA IAI	10	SWSW			NONE SPECIFIED
3 S	11 E	WM	32	SW NE	//		NONE SPECIFIED

Authorized Place of Use:

			IRRIC	GATION	<b>\$</b> 5	TOCK	0
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1 /	SWNW	X	X	2.3
4 S	12 E	WM	1	SE NW		/	3.0

SUPPLEMENTAL IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres			
4 S	12 E	WM	1	SE NW V			3.0			

5. Application T-9990 proposes to change the place of use of the right to:

			IRRIG	ATION			
Twp	Rng	Mer	Sec	/Q-Q	GLot .	DL¢	Acres
4S	12E	WM	1	NE SW		\ /	2.3
4S	12E	WM	1, /	NW SW	/ X	V	1.1
4S /	12E 1/	WM	1	SW SW V		Λ	1.0
4S V	12E	WM	1	SE SW	11	/\	0.9

	SU	PPLEM	1ENTA	AL IRRIGA	TION		
Twp	Rng	Mer	Sec	/ Q-Q	GLot	DLC	Acres
4S	12E /	WM	1 /	NE SW V	/		0.31
4S /	12E /	WM	1	NW SW V			0.8
4S /	12E	WM	1	SW SW V			1.0
4S	12E	WM	1	SE SW			0.9

6. The portion of the third right to be transferred is as follows:

Certificate: 80637 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

Permit S-2163)

Use: IRRIGATION of 0.4 ACRES Priority Date: AUGUST 8, 1914

Rate: 0.005 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: SOUTH FORK BADGER CREEK, tributary to TYGH CREEK

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 S	ИE	WM	32	SW NE	X		NORTH 65 DEGREES 21 MINUTES WEST, 1938.2 FEET FROM E1/4 CORNER SECTION 32

**Authorized Place of Use:** 

	IRRIGATION											
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres					
4 S	12 E	WM	1 .	SWNW		X	0.4					

Application T-9990 proposes to change the place of use of the right to:

		I	RRIC	GATION	\ 1	1	
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4S	12E	MW	1 1	SE SW	V	X	0.4
		WM					

The portion of the fourth right to be transferred is as follows:

Certificate: 76222 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

Permit S-22633)

Use: IRRIGATION of 5.5 ACRES

Priority Date: APRIL 12, 1941 and MARCH 20, 1951

Rate: 0.138 CUBIC FEET PER SECOND, being

Limit/Duty: ONE-FORTIETH efs per acre, not to exceed 3.0 acre-feet per acre per year

Source: BADGER CREEK and a RESERVOIR, tributary to WHITE RIVER (constructed under Permit R-773)

T-9990.RA/dip Page 3 of 7

**Authorized Point of Diversion:** 

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 S	10 E	WM	16	SW SW		X	NONE SPECIFIED
30	11-		-0	. NT - 1	1	7	none specified

		]	IRRIG	ATION			
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SW NW			0.6
4S \/	12 E	WM	1 V	SE NW			4.9

Application T-9990 proposes to change the place of use of the right to:

		]	IRRIC	GATION			
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4S	12 E	WM	1	SW SW			1.5
4S //	12 E	WM	1	SE SW			4.0

10. The portion of the fifth right to be transferred is as follows:

Certificate: 76223 in the name of BADGER IMPROVEMENT DISTRICT (perfected under

Permit S-27390)

Use: SUPPLEMENTAL IRRIGATION of 3.0 ACRES

V	Priority D	ate: MAR	CH 22	2, 196	1			
		1 CUBIC I						
V 1	Limit/Dut	y: ONE-F	ORTI	ETH	efs per acr	e, not to	exceed	3.0 acrefeet per acre per year
Check method	Source: B	ADGER C	CREEK	< and	a RESER	VOIR, t	ributary	to WHITE RIVER under Permit R-773)
on the trut	/	Point of Div			(	Constri	ucted	under fermit K-473)
direct age stored	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
only from si	3 S	10 E	WM	16	SW SW			BADGER LAKE - 400 FEET NORTH & 800 FEET EAST FROM- SW CORNER SECTION 16
<i>v</i> .	3 S	ME	WM	29	NE SW		1/4	BADGER CREEK - 1290 FEET SOUTH & 550 FEET WEST FROM - C1/4 CORNER SECTION 29

Authorized Place of Use

	81	PPLEN	IENT	AL IRRIGA	TION	/	-
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SW NW	X	X	3.0

11. Application T-9990 proposes to change the place of use of the right to:

	\\$t	JPPLEN	1ENT	AL IRRIGA	ATION		
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SW SW	X	X	1.2
4S ./	12 E	WM	1 1	SE SW			1.8

12. The portion of the sixth right to be transferred is as follows:

Certificate: 51486 in the name of PINE HOLLOW COOPTINC. and DEPT OF FISH &

WILDLIFE (perfected under Permit S-33228)

Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: JULY 23, 1968 Rate: 11.891 ACRE FEET

Limit/Duty: Rate limit for irrigation not specified. Duty not to exceed 3 acre-feet per acre

per year and further limited to the use of stored water only on lands described as

supplemental.

Source: PINE HOLLOW RESERVOIR, tributary to WHITE RIVER (constr. under fermit R-5250)

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
4 S	12 E	WM	10	NE NW			PINE HOLLOW RESERVOIR - 700 FEET SOUTH & 1930 FEET EAST FROM NW CORNER, SECTION 10

#### **Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres		
4 S	12 E	WM	1	SW NW			3.6		
4 S	12 E	WM	1	SE NW 🗸			7.9		

13. Application T-9990 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres		
4 S	12 E	WM	1	NE SW	/		0.3		
4 S /	12 E	WM	1./	NW SW -			0.8		
4S V	12 E	WM	1 V	SW SW			3.71		
4 S	12 E	WM	1	SE SW			6.7		

14. The portion of the seventh right to be transferred is as follows:

Certificate: 51487 in the name of PINE HOLLOW COOPERATIVE, INC. (perfected under

Permit S-39616)

Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: MAY 1, 1975 Rate: 11.845 ACRE FEET

Limit/Duty: Rate limit for supplemental irrigation not specified. Duty not to exceed 3.0

acre-feet per acre per year.

& Pine Hollow Reservoir Constr. under Permit R6368 Source: THREEMILE CREEK, tributary to WHITE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
4 S	11 E	WM	11	SW NW	(		1530 FEET SOUTH & 4580 FEET WEST FROM THE NE CORNER, SECTION 11



#### **Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres		
4 S	12 E	WM	1	SW NW			3.6		
4 S	12 E	WM	1 1	SE NW			7.9		

15. Application T-9990 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	
4 S	12 E	WM	1	NE SW			0.3	
4 S /	12 E	WM	1	NW SW			0.8	
4 S /	12 E	WM	1 \/	SW SW 💆	//		3.7	
4 S	12 E	WM	1	SE SW			6.7	

16. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.

- 17. This transfer application is being processed concurrently with transfer applications T-8080 and T-10016 which also affect Certificates 51486, 51487, 76222, 76223, and 80637. Upon issuance of the final orders for these transfers, new certificates will be issued that reflect the changes resulting from all of these transfer applications.
- 18. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 19. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.

\*

- 20. The proposed change would not result in enlargement of the right
- 21. The proposed change would not result in injury to other water rights.

# **Determination and Proposed Action**

The proposed change in place of use in application T-9990 appears to be consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7221, 46532, 80637, 76222, 76223, 51486, 51487, and any related decrees.

2. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2007. A Claim of Beneficial Use prepared by a Certified Water

T-9990.RA/dipwill be cancelled. New certificates will be issued describing that portion of the right.

Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

- 3. The former place of use of the transferred water shall no longer receive water as part of these rights.
- 4. Prior to diverting water, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Dated at Salem, Oregon this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

DRAFT Confirming the rights transferred \_\_\_\_\_\_ Will be issued.

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us.

Still need to verify this portion, Ran out, of time

# Notice of Preliminary Determination for Water Right Transfer T-9990

T-9990 filed by McAllister Ranches, 80455 Wamic Market Road, Tygh Valley, OR 97063, proposes a change in place of use under Certificates 7221, 26532, 80637, 76222, 76223, 51486, and 51487. The portions of the rights to be transferred allow the combined use of 0.324 cfs live flow for irrigation, 0.085 cfs live flow for supplemental irrigation, and up to 23.736 acre-feet of stored water (various priority dates) from five diversions located in Sec. 16, T3S, R10E, W.M.; Sec. 29, T3S, R11E, W.M.; Sec. 32, T3S, R11E, W.M.; Sec. 11, T4S, R11E, W.M.; and Sec. 10, T4S, R12E, W.M., for irrigation in Sec. 1, T4S, R12E, W.M.. The applicant proposes to change the place of use to another location within Sec. 1, T4S, R12E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

46532 cancelled & Superseded by 82086

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

)

In the Matter of Transfer Application T-9990, Wasco County

DRAF

PRELIMINARY DETERMINATION

ORS 540.505 to 540.580 establishes the r request to transfer the point of diversion, existing water right. OAR Chapter 690, D Department's procedures and criteria for

**Applicant** 

MCALLISTER RANCHES 80455 WAMIC MARKET ROAD TYGH VALLEY, OR 97063

1990-dpd\_with peer vevisions\_6-29-06.dor.

# **Findings of Fact**

- 1. On August 5, 2005, McAllister Ranches filed a transfer application to change the place of use under Certificates 7221, 46532, 80637, 76222, 76223, 51486, and 51487. The Department assigned the application number T-9990.
- 2. The portion of the first right to be transferred is as follows:

Certificate:

7221 in the name of F. A. MORROW (perfected under Permit S-6734)

Use:

**IRRIGATION of 3.0 ACRES** 

Priority Date: APRIL 27, 1925

Rate:

0.039 CUBIC FOOT PER SECOND

Limit/Duty:

ONE-EIGHTIETH of one cfs per acre

Source:

BADGER CREEK, tributary to WHITE RIVER

#### **Authorized Place of Use:**

	IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	SW NW	3.00					

3. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres				
4S	12E	WM	1	SW SW	1.2				
4S	12E	WM	1	SE SW	1.8				

# BEFORE THE WATER RESOURCES DEPARTMENT OF THE

#### STATE OF OREGON

In the Matter of Transfer	Application
T-9990, Wasco County	

# DRAFT

PRELIMINARY DETERMINATION

PROPOSING APPROVAL OF A

CHANGE IN PLACE OF USE

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

#### **Applicant**

MCALLISTER RANCHES 80455 WAMIC MARKET ROAD TYGH VALLEY, OR 97063

# **Findings of Fact**

- On August 5, 2005, McAllister Ranches filed a transfer application to change the place of use under Certificates 7221, 46532, 80637, 76222, 76223, 51486, and 51487. The Department assigned the application number T-9990.
- The portion of the first right to be transferred is as follows: 2.

Certificate:

7221 in the name of F. A. MORROW (perfected under Permit S-6734)

Use:

**IRRIGATION of 3.0 ACRES** 

Priority Date: APRIL 27, 1925

Rate:

0.039 CUBIC FOOT PER SECOND

Limit/Duty:

ONE-EIGHTIETH of one cfs per acre

Source:

BADGER CREEK, tributary to WHITE RIVER

#### Authorized Place of Use:

	IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres				
4 S	12 E	WM	1	SW NW	3.00				

3. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4S	12E	WM	1	SW SW	1.2		
4S	12E	WM	1	SE SW	1.8		

4. The portion of the second right to be transferred is as follows:

Certificate: 82086 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-15165)

Use: IRRIGATION of 5.3 ACRES and SUPPLEMENTAL IRRIGATION of 3.0

ACRES ANY LIVESTOCK??? (SEE TRANSFER APPL)... if so, what

Priority Date: OCTOBER 21, 1929

Rate: 0.18 CUBIC FOOT PER SECOND (CFS), being 0.13 CFS from BADGER

CREEK for IRRIGATION and 0.05 CFS from BADGER LAKE for

SUPPLEMENTAL IRRIGATION

Limit/Duty: ONE-FORTIETH of one cfs per acre up to July 1 of each year and thereafter

not to exceed ONE-EIGHTIETH of one cfs per acre, not to exceed 1.0 acre foot per acre during any 30 day period up to July 1<sup>st</sup> of each year and not to

exceed 3.0 acre feet per acre during any irrigation season

Source: BADGER CREEK and BADGER LAKE RESERVOIR (constructed under

Permit R-773), tributaries to WHITE RIVER

**Authorized Point of Diversion:** 

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	11 E	WM	32	SW NE	NONE SPECIFIED

Authorized Place of Use:

	IRRIGATION & LIVESTOCK???								
Twp	Rng	Mer	Sec	Q-Q	Acres				
4 S	12 E	WM	1	SW NW	2.3				
4 S	12 E	WM	1	SE NW	3.0				

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
4 S	12 E	WM	1	SE NW	3.0		

5. Application T-9990 proposes to change the place of use of the right to:

See Appl., It breaks out as

	IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres				
4S	12E	WM	1	NE SW	2.3				
4S	12E	WM	1	NWSW	1.1				
4S	12E	WM	1	SW SW	1.0				
4S	12E	WM	1	SE SW	0.9				

	SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres			
4S	12E	WM	1	NE SW	0.3			
4S	12E	WM	1	NW SW	0.8			
4S	12E	WM	1	SW SW	1.0			
4S	12E	WM	1	SE SW	0.9			

- part IR & part Livestock
- Which is which?

6. The portion of the third right to be transferred is as follows:

80637 in the name of BADGER IMPROVEMENT DISTRICT (perfected Certificate:

under Permit S-2163)

**IRRIGATION of 0.4 ACRES** Use:

Priority Date: AUGUST 8, 1914

0.005 CUBIC FOOT PER SECOND Rate:

ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre feet per acre Limit/Duty:

per vear

Source: SOUTH FORK BADGER CREEK, tributary to TYGH CREEK

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	11 E	WM	32	SW NE	HIGHLAND DITCH - NORTH 65 DEGREES 21 MINUTES WEST, 1938.2 FEET FROM THE EAST 1/4 CORNER OF SECTION 32

#### Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	1	SWNW	0.4			

7. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4S	12E	WM	1	SE SW	0.4			

8. The portion of the fourth right to be transferred is as follows:

Certificate:

76222 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-22633)

Use:

**IRRIGATION of 5.5 ACRES** 

Priority Date: APRIL 12, 1941 and MARCH 20, 1951

Rate:

0.14 CUBIC FOOT PER SECOND (CFS), being 0.07 CFS with a priority

date of April 12, 1941, and 0.07 CFS with a priority date of March 20, 1951

Limit/Duty:

ONE-FORTIETH of one cfs per acre, not to exceed 3.0 acre feet per acre per

year

Source:

BADGER CREEK and a RESERVOIR (constructed under Permit R-773),

tributary to WHITE RIVER

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	SW SW	NONE SPECIFIED
3S	11E	WM	29	NE SW	NONE SPECIFIED

#### Authorized Place of Use:

	IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	SW NW	0.6					
4 S	12 E	WM	1	SE NW	4.9					

9. Application T-9990 proposes to change the place of use of the right to:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres				
4S	12 E	WM	1	SW SW	1.5				
4S	12 E	WM	1	SE SW	4.0				

10. The portion of the fifth right to be transferred is as follows:

Certificate:

76223 in the name of BADGER IMPROVEMENT DISTRICT (perfected

under Permit S-27390)

Use:

SUPPLEMENTAL IRRIGATION of 3.0 ACRES

Priority Date: MARCH 22, 1961

Rate:

0.03 CUBIC FOOT PER SECOND

Limit/Duty:

ONE-FORTIETH of one cfs per acre, not to exceed 3.0 acre feet per acre per

Source:

BADGER CREEK and a RESERVOIR, tributary to WHITE RIVER

**Authorized Point of Diversion:** 

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	10 E	WM	16	SW SW	BADGER LAKE - 400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER OF SECTION 16
3 S	11 E	WM	29	NE SW	BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 29

#### **Authorized Place of Use:**

	SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	SW NW	3.0					

11. Application T-9990 proposes to change the place of use of the right to:

5	SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres				
4 S	12 E	WM	1	SW SW	1.2				
4 S	12 E	WM	1	SE SW	1.8				

12. The portion of the sixth right to be transferred is as follows:

Certificate:

51486 in the name of PINE HOLLOW COOPERATIVE INC. and DEPT

OF FISH & WILDLIFE (perfected under Permit S-33228)

Use:

SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: JULY 23, 1968

Rate:

11.9 ACRE FEET

Limit/Duty:

Rate limit for irrigation not specified. Duty not to exceed 3.0 acre feet per

acre per year and further limited to the use of stored water only on lands

described as supplemental.

Source:

PINE HOLLOW RESERVOIR (constructed under permit R-6368), tributary

to WHITE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	12 E	WM	10	NE NW	PINE HOLLOW RESERVOIR - 700 FEET SOUTH AND 1930 FEET EAST FROM THE NW CORNER OF SECTION 10

**Authorized Place of Use:** 

	SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	SW NW	3.6					
4 S	12 E	WM	1	SE NW	7.9					

13. Application T-9990 proposes to change the place of use of the right to:

	SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	NE SW	0.3					
4 S	12 E	WM	1	NW SW	0.8					
4 S	12 E	WM	1	SW SW	3.7					
4 S	12 E	WM	1	SE SW	6.7					

14. The portion of the seventh right to be transferred is as follows:

Certificate:

51487 in the name of PINE HOLLOW COOPERATIVE, INC. (perfected

under Permit S-39616)

Use:

SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: MAY 1, 1975

Rate:

11.9 ACRE FEET

Limit/Duty:

Rate limit for supplemental irrigation not specified. Duty not to exceed 3.0

acre-feet per acre per year.

Source:

THREEMILE CREEK and PINE HOLLOW RESERVOIR (constructed

under permit R-6368), tributaries to WHITE RIVER

#### **Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	11 E	WM	11	SW NW	THREEMILE CREEK - 1530 FEET SOUTH AND 4580 FEET WEST FROM THE NE CORNER OF SECTION 11

#### **Authorized Place of Use:**

	SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres					
4 S	12 E	WM	1	SW NW	3.6					
4 S	12 E	WM	1	SE NW	7.9					

15. Application T-9990 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	1	NE SW	0.3			
4 S	12 E	WM	1	NW SW	0.8			

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
4 S	12 E	WM	1	SW SW	3.7			
4 S	12 E	WM	1	SE SW	6.7			

- 16. Notice of the application for transfer was published on August 16, 2005, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
- 17. Transfer application T-9990 is being processed concurrently with transfer applications T-8080 and T-10016 which also affect Certificates 51486, 51487, 76222, 76223, and 80637. Upon issuance of the final orders for these transfers, new certificates will be issued that reflect the changes resulting from the above referenced transfer applications.
- 18. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 19. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- 20. The proposed change would not result in enlargement of the rights.
- 21. The proposed change would not result in injury to other water rights.

#### **Determination and Proposed Action**

The proposed change in place of use in application T-9990 appears to be consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

- 1. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7221, 46532, 80637, 76222, 76223, 51486, 51487, and any related decrees.
- 2. Upon the issuance of a final order approving Transfer Application T-9990, Certificates 7221, 46532, 80637, 76222, 76223, 51486 and 51487 will be cancelled. New certificates will be issued describing that portion of the rights not involved in this transfer.
- 3. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2007.** A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- 4. The former place of use of the transferred water shall no longer receive water as part of these rights.

- 5. Prior to diverting water, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
- 6. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this day of, 2000	Dated at Salem,	Oregon this	day of	, 2006
--	-----------------	-------------	--------	--------

# DRAFT

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us.

## **Dorothy Pedersen**

From: Greg Kupillas [phggek@bctonline.com]

Sent: Friday, September 22, 2006 2:25 PM

To: 'Dorothy Pedersen'

Subject: T-9990, McAllister Ranches

-->

Dorothy.

I have reviewed the information you provided in your Fax transmittal dated 9/21/06. The Lot Book Report appears to correctly list the property involved in the transfer, and lists FDD Ranches, LLC and Durmac Ranches, Inc. as the current owners. One lien holder is identified: Glenn Wentz, Trustee of the Glenn Wentz Appraisals Profit Sharing Plan. Two notification letters were included with the transmittal. One is addressed to Glenn Wentz, and the other to FDD Ranches.

The cover letter provided by Larry Toll implies that the only "other" owner identified in the Lot Book Report is FDD Ranches. This suggests that McAllister Ranches and Durmac Ranches are one and the same, although I have no information to confirm this. Assuming that is the case, according to OAR 690-380-2000(a), the applicant must provide some form of evidence documenting that FDD Ranches has given authorization for the transfer. However, the record shows that FDD Ranches has merely been notified of the transfer.

Based on my review of the material you sent, I conclude that all lien holders have been identified and notified; however, the applicant has not provided anything to document that the other owner (FDD Ranches) has authorized the proposed transfer. There also remains the issue regarding the connection between Durmac Ranches and McAllister Ranches.

My review of this material prompted me to look at the transfer application again. I was looking specifically for the ownership information provided in the application. However, my copy of the transfer application seemed to be missing page 6, which includes Sections 6 (Affected Districts and Local Governments) and 7 (Land Ownership). At this point, I'm assuming that this page was included in the original application and I probably missed duplicating it when I prepared the deliverables. Just to be sure, could you check the original application to see if this page was included?

Please let me know how you wish to proceed regarding obtaining authorization from FDD Ranches, and if you need anything else from me.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016



# Water Resources Department

Commerce Building 158 12th Street NE Salem, OR 97301-4172 (503) 378-3739 FAX (503) 378-8130

#### INTEROFFICE MEMO

Transfer Section DATE: 8-15-05 WATERMASTER, DISTRICT # FROM: GROUNDWATER SECTION date signed 10-11-2005 WATER RIGHT TRANSFER # SUBJECT: A change in: (POU POA USE of water. McAllister Ranches In my opinion (assuming the right is valid), the proposed change MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water \*The approval of this transfer application would result in injury to other water rights because\_\_\_\_ The existing right may not be valid because HAVE NOT Been issued for diversion from the source(s) which \* Badger Improvement District has a Newdyare & 4' parshal flume at the POD. Headgate notices HAVE serve(s) this right. If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works: \_ (1) PRIOR to the diverting of water at the new point of diversion . . . (2) WHEN IN the judgement of the watermaster it becomes necessary . . . WATER RESOURCES DEPT SALEM, OREGON The enclosed copy of the transfer application and map(s) is for your records. wmtrans.frm

# Oregon Department of Fish and Wildlife Transfer Comment Form

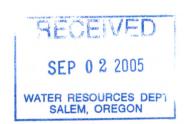
Reference: Transfer # 9990

We have reviewed the application for transfer and provide the following comments:

Please check one of the boxes related to potential injury to water rights.

×	There does not appear to be a potential for injury to instream or other water rights as a result of the transfer.
	We believe that the transfer would injure the instream or other water right(s) on The nature of the
	injury is as follows:
	(Please attach any available supporting information.)
pro	This transfer is not for a permanent or historic change in a point of diversion. Therefore, the ovisions of ORS 540.525 and 540.532 related to requirements for fish screens or by-pass
de	vices do not apply.  Signature
	KOD FRENCH
	MID-Columbia DISTRICT FISH BIOLOGIST
	Title

Please return this form to Transfer Section, Water Resources Department, 725 Summer Street NE Ste A, Salem, OR, 97301 by September 13, 2005.



#### PUBLIC NOTICE 08/16/2005

WASCO COUNTY: 9990 TRANSFER:

CERTIFICATE: 7221,46532,80637,76222,76223,51486,51487
PRIORITY DATE: 1925,1929,1914,1941,1961,1968,1975,1951
NAME: MCALLISTER RANCHES

80455 WAMIC MARKET RD; TYGH VALLEY OR 97063 ADDRESS:

CHANGE:

SOURCE: BADGER CR/THREEMILE CR/ BADGER LK RES/HIGHLAND

DITCH/PINE HOLLOW RES

AUTHORIZED POU: T4S R12E 1
PROPOSED POU: T4S R12E 1



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

August 12, 2005

MCALLISTER RANCH 80455 WAMIC MARKET RD TYGH VALLEY OR 97063 LARRY TOLL, AGENT 409 LINCOLN STREET THE DALLES OR 97058

Reference: Transfer 9990

On 8-5-2005 we received your water right transfer application requesting a place of use of water from the BADGER CR AND OTHERS, a tributary of the TYGH CR AND OTHERS. The application was accompanied by \$350. Our receipt 76416 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more info on the Reimbursement Authority program, see the website at <a href="http://www.wrd.state.or.us/OWRD/mgmt\_reimbursement.shtml">http://www.wrd.state.or.us/OWRD/mgmt\_reimbursement.shtml</a> or by calling the transfer section.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #3

Badger Improvement District Pine Hollow Cooperative

enclosure



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

August 12, 2005

Rod French
Oregon Department of Fish and Wildlife
High Desert District Office
3701 W 13<sup>th</sup> Street
The Dalles, Oregon 97058

Reference: Transfer # 9990

Enclosed for your review is a copy of a water right transfer application from Badger Cr., Threemile Cr., Badger Lake Res., Highland Ditch, and Pine Hollow Res. tributary of Tygh Creek, White River, Badger Creek and Pine Hollow Res.

Consistent with the Oregon Plan, we are soliciting your input on whether the proposed transfer would injure an instream water right or any other water right in which ODFW has an interest. If you believe that the transfer would injure a water right, please describe the nature of the injury and provide any supporting information which you have available.

This transfer is not for a permanent or historic change in a point of diversion. Therefore, the provisions of ORS 540.525 and 540.532 related to requirements for fish screens or by-pass devices do not apply.

We must receive your response in our Salem office

Attention: Transfer Section Water Resources Department 725 Summer Street NE Ste A Salem, Oregon 97301

by September 13, 2005 in order to consider it in our decision on the application and to include the appropriate conditions in any approval order. We will presume that you do not have comments and do not intend to request fish screens or by-pass devices if we do not receive a response.

If you have questions, please call 503-986-0883.

**Enclosure** 

cc: Wm # 3

**Applicant** 

1-8.05

Proof Needed

7-4313

4/18/06 - RR cert to be issued by certificates Section within a month or so

# ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

**Deed or Lot Book Report** 

**Notarized Consent** 

**Evidence of Use Affidavit** 

**Land Use Information Form** 

Lien Holder Notification (if applicable)

Report of Ownership and Lien Info (if applicable)

3

Other Supporting Documentation



**DELIVERED BY:** 

COPY TO:

PHONE (541) 296-9177 FAX (541) 296-6657

# LETTER OF TRANSMITTAL

<b>FO:</b> Oregon Water Resources Department 725 Summer Street NE, Suite A			Date: 11/7/2006	Work Order # 11572	
			Attention Dorothy Pedersen		
	Salem, Oreg	on 97301-2430			
			RE:		
			Transfe	er 9990	
ENC	LOSED ARE	THE FOLLOWING:			
	QUANTITY		DESCRIPTION		
	1	(1 pg) Affidavit of Consent from Fl	DD Ranches, LLC		
THI	[ ] For 1	ANSMITTED (as checked below) testing [xx] As requested your use [ ] Approved as		Filing/Recording For your review & comm	nent
Rem	arks:			SF Blueline	
	I believe	this is the last of the documents you	requested.	SF Mylar	
				Xerox	
				Tube, Mailer, Etc.	
				P & H	
				TOTAL	

If enclosures are not as noted, please notify us at once.

BY: Larry Toll

**RECEIVED** NOV 0 9 2006

WATER RESOURCES DEPT SALEM, OREGON

## AFFADAVIT OF CONSENT



FDD Ranches, LLC, states that we are the owner of the lands known as Tax Lot 301, within the NW 1/4 Section 1, of T 4 S, R 12 E, W.M., within Wasco County.

Transfer 9990 was filed on August 5, 2005, to change the place of use of 14.2 acres (11.3 acres on tax lot 301). Those water rights are being moved to another location on a different parcel of land.

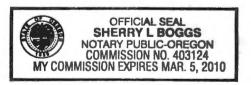
FDD Ranches, LLC hereby gives consent for Transfer 9990 (a change in place of use) to be processed to completion.

Fluel/	10-12-06	
Signature for FDD Ranches, LLC	Date	
Member		
Title		

Subscribed and Sworn to Before Me this 12th day of 1/Ctober, 2006

My Commission Expires: March 5, 2010

Notary Public for Oregon





# LETTER OF TRANSMITTAL

Date 10/04/06	Work Order # 11572
Attention Dorothy Pet	erson
RE:	
DESCRIPTION	
	ng/Recording your review & comment
	SF Blueline
Danches Inc. for	SF Mylar
	Xerox
a Da Amieros III ene	Tube, Mailer, Etc.
	P & H
	TOTAL
	RECEIVED
	Attention Dorothy Pet RE:  DESCRIPTION  [ ] Fili

OCT 05 2006 WATER RESOURCES DEPT

# AFFADAVIT OF CONSENT

Durmac Ranches, Inc, states that we are the owner of the lands known as Tax Lot 300, within the NW 1/4 Section 1, of T 4 S, R 12 E, W.M., within Wasco County.

Transfer 9990 was filed on August 5, 2005, to change the place of use of 14.2 acres (2.9 acres on tax lot 300). Those water rights are being moved to another location on a different parcel of land.

Durmac Ranches, Inc hereby gives consent for Transfer 9990 (a change in place of use) to be processed to completion.

Durman Panches Inc. William & prallet	 9129106	
Signature for Durmac Ranches, Inc	Date	
Pur		

Subscribed and Sworn to Before Me this 29th day of September \_\_\_\_\_, 2006.

OFFICIAL SEAL KRISTIL BISH Notary Public for Oregon



Title

My Commission Expires: May 17, 2008

RECEIVED

OCT 05 2006 WATER RESOURCES DEPT SALEM, OREGON

September 6, 2006

Dorothy Petersen Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266

Reference: Transfers 9990 and 10016

Dear Dorothy:

I have received the Preliminary Determination (revised) for Transfer 10016 and Preliminary Determination for Transfer 9990. The wording concerning the headgate and measuring device requirement is satisfactory.

Your letter questions the stock and domestic use for Certificate 82086 under Items 5, 6 and 7 of Findings of Fact. The stock water was left off the application by mistake. Please include stock water in the change in place of use, as shown in the Preliminary Determination for T-9990. As for domestic use, there has been no abandonment. There is no domestic use, past or present, in the area where the water rights are being removed.

Also I have enclosed an ownership and lien report for Transfer 9990. An additional owner (FDD Ranches) and lien holder (Glen Wentz) are identified. I have enclosed copies of the notifications sent to these parties.

Please let me know if there is any additional information that you need.

Sincerely,

Larry M. Toll, C.W.R.E

LMT:nw <wo#11572>

RECEIVED

SEP 0 8 2006

WATER RESOURCES DEPT SALEM, OREGON

# LOT BOOK REPORT

Order Number : 23791 Fee : \$150.00

We have searched our Tract Indices as to the following described property:

#### PARCEL I

Parcel 1 of that Part of Parcel Division, Plat No. 2005-40, recorded December 22, 2005 under Microfilm No. 2005007221 Records of Wasco County, State of Oregon, being a portion of the North half of Section 1, Township 4 South, Range 12 East of the Willamette Meridian, County of Wasco, State of Oregon.

#### PARCEL II

Parcel 2 of that Part of Parcel Division, Plat No. 2005-40, recorded December 22, 2005 in Microfilm No. 2005007221 Records of Wasco County, State of Oregon, being a portion of the North ½ of Section 1, Township 4 South, Range 12 East, of the Willamette Meridian, County of Wasco, State of Oregon.

and dated as of July 26, 2006 at 8:00 a.m.

We find that the last deed of record runs to:

PARCEL I: FDD RANCHES, LLC

PARCEL II: DURMAC RANCHES, INC.

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

Deed of Trust, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon:

Dated :April 17, 2006 Recorded :April 17, 2006

Microfilm No. :2006-002219 (Records of Wasco County, Oregon)

Amount :\$110,000.00

Grantor :Durmac Ranches, Inc.

Trustee :Robert A. Smejkal, Attorney at Law

Beneficiary :Glenn Wentz, Trustee of the Glenn Wentz Appraisals Profit Sharing Plan

Affects :Parcel II

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE

We also find the following unpaid taxes and city liens:

**NONE** 

RECEIVED

SEP 0 8 2006

WATER RESOURCES DEPT SALEM, OREGON

J

Order Number: 0023791

Page 2

NOTE: Taxes for fiscal year 2005-06 are paid in full as follows:

Code No.

:13

Map No. Tax Lot :4S12E1 :301

Reference No.

:17118

Amount

:\$exempt

Taxes for fiscal year 2005-06 are paid in full as follows:

Code No.

:13

Map No.

:4S12E1

Tax Lot

:300

Reference No.

:16152

Amount

:\$1,433.51

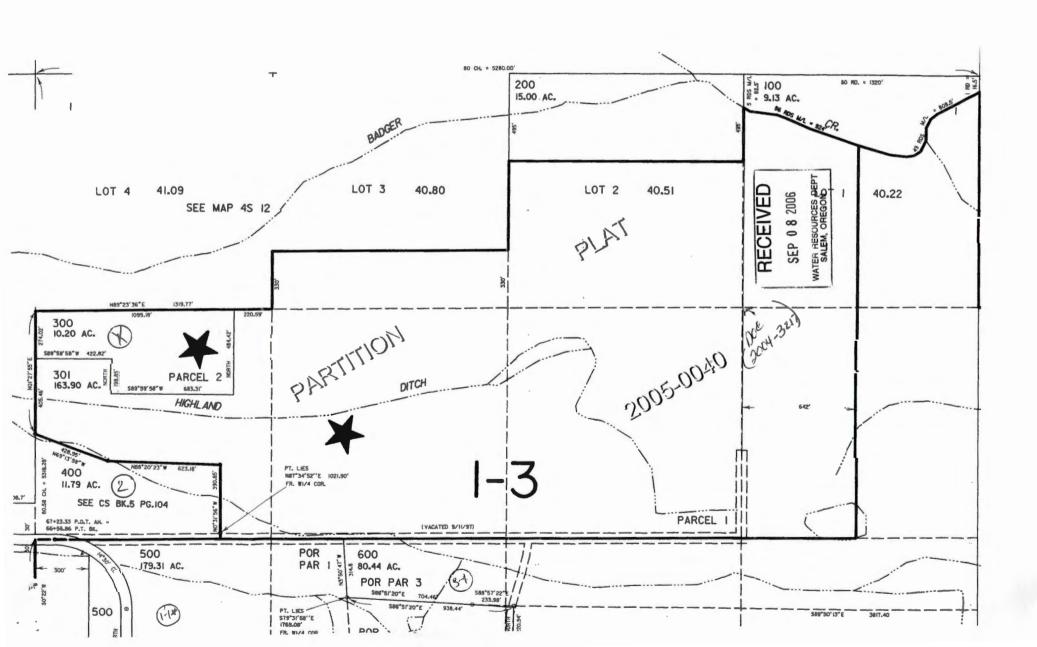
NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

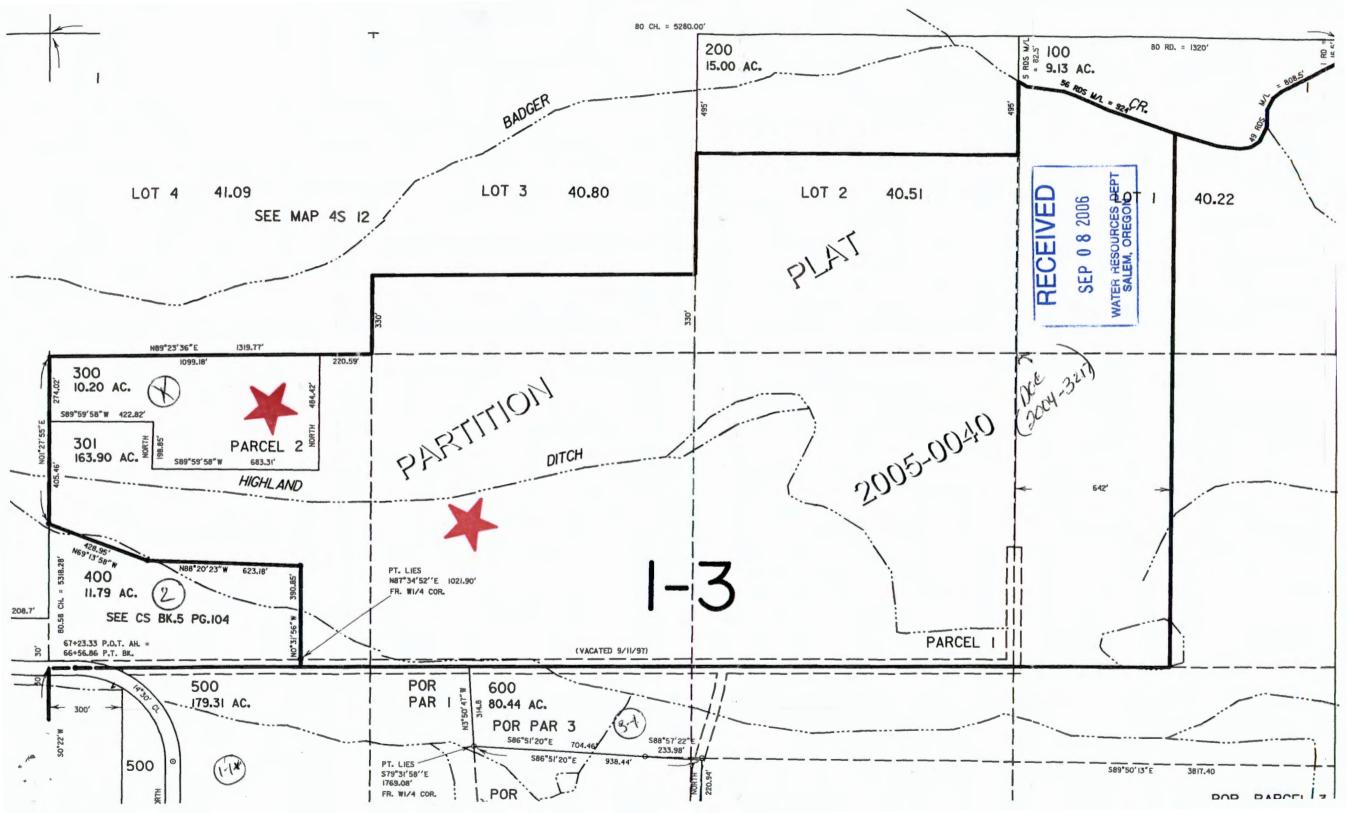
**AmeriTitle** 

Lan Lynn GeDeros, Title Examiner

"Superior Service with Commitment and Respect for Customers and Employees"









September 6, 2006

FDD Ranches, LLC P.O. Box 97 Clackamas, Oregon 97015

Reference:

Water Right Transfer (T-9990) for William McAllister

(Durmac Ranches, Inc.)

You are the owners of a portion of the land involved in a water right transfer application that proposes to change the place of use of a portion of the water rights. The property is located on Tax Lot 301 in the North 1/2 of Section 1, Township 4 South, Range 12 East, Willamette Meridian, Wasco County, Oregon. This transfer application was made on August 5, 2005.

As part of this proposed transfer, we are required to notify any landowners that may have an interest in the property involved in the transfer.

If you have any questions, you may contact me, as agent for Mr. McAllister, at (541) 296-9177, or you may contact Dorothy Pederson, Transfer Specialist, with the Oregon Water Resources Department at (503) 986-0890.

Sincerely,

arry M. Poll C.W.R.E

LMT:nw < wo#11572>





September 6, 2006

Glenn Wentz, Trustee Glenn Wentz Appraisals Profit Sharing Plan P.O. Box1742 Roseburg, Oregon 97470

Reference: Water Right Transfer (T-9990) for William McAllister

Durmac Ranches, Inc. is the owner of a portion of land involved in a water right transfer application that proposes to change the place of use of the water right. The property is located on Tax Lot 300 in the SW ¼ NW ¼ of Section 1, Township 4 South, Range 12 East, Willamette Meridian, Wasco County, Oregon. After the transfer, there will be no water rights remaining on Tax Lot 300. This transfer application was made on August 5, 2005.

As part of this proposed transfer, we are required to notify any lien holder that may have an interest in the property involved in the transfer.

If you have any questions, you may contact me, as agent for Mr. McAllister, at (541) 296-9177, or you may contact Dorothy Pederson, Transfer Specialist, with the Oregon Water Resources Department at (503) 986-0890.

incerely,

Earry M. Toll, C.W.R.

LMT:nw <wo#11572>

cc: Advanced Investment Corporation

SEP 0 8 2006
WATER RESOURCES DEPT

SALEM, OREGON



# LETTER OF TRANSMITTAL

TO:	Oregon Water Resources Department	Date 8/4/2005	Work Order # 11572		
	725 Summer Street NE, Suite A	Attention			
	Salem, Oregon 97301-2430	RE:			
		McAllister Rai	nches		

## ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION					
original	Application for Water Right Transfer					
original	Water Right Transfer Supplemental Form A					
	Utility billings					
	Affidavit acknowledging Water Right Transfer					
	Certificates of Water Right					
Vicinity Map and legal description						
	Warranty Deeds (2)					
	8-1/2"x 14" map showing Water Right Point of Diversions					
	11"x 17" Water Right Transfer Out Map					
	11"x 17" Water Right Transfer In Map					
	FILING FEE - \$350 (ck #2120)					
	ANSMITTED (as checked below)  approval [ ] As requested [ ✓ ] Filing/Recording					

THESE ARE TRANSMITTED (as	checked below)		
[ ] For approval	[ ] As requested	[ ✓ ] H	Filing/Recording
[ ] For your use	[ ] Approved as note	ed [] I	For your review & comment
Remarks:			SF Blueline
			SF Mylar
			Xerox
		RECEIVED	Tube, Mailer, Etc.
T- 9990			P&H
1 77		AUG 0 5 2005	TOTAL
PICKED UP BY:	V	SALEM, OREGON	

PICKED UP BY: **DELIVERED BY:** 

COPY TO: William McAllister w/encs

BY: Larry M. Toll, CWRE #132

#### STATE OF OREGON

#### WATER RESOURCES DEPARTMENT

RECEIPT # 76416

725 Summer St. N.E. Ste. A SALEM, OR 97301-4172 (503) 986-0900 / (503) 986-0904 (fev)

INVOICE # \_

н: с	HECK:#	OTHER: (ID	ENTIEV		TRANSFER	T9991
	×2120	OTALA. (ID	LIVIII-1)	1	TOTAL REC'D	\$3509
1083	TREASURY	4170	WRD N	IISC CASH A	CCT	
0407	COPIES					\$
		(IDENTIFY)				\$
0243 I/S L	ease 024	4 Muni Wate	r Mgmt. Pla	an 02	45 Cons. Water	
Office William		4270	WRD O	PERATING	ACCT	
	MISCELLANEOU	S				
0407	COPY & TAPE FE	ES				\$
0410	RESEARCH FEES	3				\$
0408	MISC REVENUE:	(IDENTIFY	)	-		\$
TC162	DEPOSIT LIAB. (	IDENTIFY)				\$
0240	EXTENSION OF 1	IME				\$
	WATER RIGHTS:			EXAM FEE	M REAL PRINCIPLES.	RECORD F
0201	SURFACE WATER	3		\$	0202	\$
0203	GROUND WATER	1		\$	0204	\$
0205	TRANSFER			\$350.00		
	WELL CONSTRU	CTION		EXAM FEE		LICENSE F
0218	WELL DRILL CON	ISTRUCTOR	1	\$	0219	\$
	LANDOWNER'S F	PERMIT			0220	\$
	OTHER	(IDENTIF	Y)			
0536	TREASURY	0437	WELL	CONST. STA	RT FEE	
0211	WELL CONST ST	ART FEE		\$	CARD#	
0210	MONITORING WE	ELLS		\$	CARD#	
	OTHER	(IDENTIF	Y)			
0607	TREASURY	0467	HYDRO	ACTIVITY	LIC NUMBER	
0233	POWER LICENSE	FEE (FW/V	VRD)			\$
0231	HYDRO LICENSE	The second second				\$
	HYDRO APPLICA	TION		/		\$
	TREASURY		OTHER	R/RDX	1	
FUND		TITLE				
The same of the same				ALCOHOL: NO		
DESCRIP	E	_ VENDOR	#			\$

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Last revised: 10/23/2004

Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900 www.wrd.state.or.us

# **Application for Water Right Transfer**

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

		APPLI	ICATION FO	R:	
✓ Water Right Transfer  ☐ Historic Change in POD  ☐ number			ease check one rary Transfer er of years Amendment	_)	☐ Drought Transfer ☐ Point of Diversion Chang Due to Government Actio
	_	1. APPLICA	NT INFORM	<u>IATI(</u>	ON
Name:		Ranches			
Address:	First 80455 Wamio	Market Road	Last		
	Tygh Valley		OR		97063
Phone:	City (503) 784-083	6 (cell)	State		Zip
*Fax:	Home		Work *E-Mail	addre	Other
*Optional infor	mation				
		2. AGENT	Γ INFORMA	TION	
(The agent	t listed is authorized t				elating to this transfer application)
Name:		Engineering Co	orporation / Larr	y Toll	
Address:	First 409 Lincol	n Street	Last		
	The Dalle	S	OR		97058
Phone:	City		State (541) 29	6-9177	Zip
*Fax: (541) 296-6657		Work		Other PSS: Itoll@tennesoneng.com	
*Optional infor					
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# 3. TYPE OF CHANGE PROPOSED

Please check all that apply

Point of Diversion or Appropriation	Place of Use	Character of Use (n/a for Permit Amendments)					
<ul> <li>□ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.)</li> <li>□ Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.)</li> <li>□ Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.)</li> <li>□ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion and not as an additional point of appropriation.)</li> </ul>	<ul> <li>☑ All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.)</li> <li>☑ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)</li> </ul>	Proposed new use:    Irrigation					
Reason for changes:C	hange in land use.						
Describe the current water delivery system. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use.  The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right. (Not applicable to applications for Permit Amendments.)  The Badger Ditch delivers water to a number of users. The Badger Ditch diverts up to 50 cfs from Badger Creek and distributes the water. Individual users flood and sprinkle							
irrigate.							
System capacity: 50 cubi	c feet per second (cfs)						
System capacity cubi	o leet per second (els)						

Attach one or more Evidence of Use Affidavits (Supplemental Form A) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years or that a presumption of forfeiture for non-use could be rebutted.

(Not applicable to applications for Permit Amendments.)

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#### 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

	Contificated Bight	7221	6734
V	Certificated Right	Certificate Number	Permit Number or Decree Name
	Adjudicated, Un-certificated		
	Right	Name of Decree	Page Number
	Permit for which Proof has		
	been Approved	Permit Number	Date Claim of Beneficial Use Submitted
	Transferred Right for which		
	Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
П	Permit for which an		
ш	Amendment is Requested	Permit Number	Completion Date of Permit
Are Sou	there multiple Priority Dates in If "Yes", any information provide with each of the proposed points list those priority dates:  Tributary to:Tygh Creek Are there other Sources listed on If "Yes", any information provide each of the proposed points of deaddition, list those other sources there Other Water Rights or the content of the proposed points of the pro	Authorized Use(s):Irr lentified on the water right? led on Page 4 must identify w of diversion/appropriation as  Badger Creek  In the water right?	☐ Yes ☑ No Phich priority date is associated Ind places of use. In addition,  ☑ No Phich source is associated with Proposed places of use. In
	there Other Water Rights or pe		
	If "Yes", what are the Permit or	Certificate Numbers? Permi	its 27390, 33228, and 39616
	Pursuant to ORS 540.510, any retransfer must be included in the	ight that is supplemental to a	primary right proposed for
Ren	narks:		
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Certificate Number or other identifying number from <i>Page 3</i> : Permit 6734	
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A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
	Range	Kange	Kange Mer Sec	Kange Wer Sec Section	Kange Mer Sec Section or DLC

## Location of Existing Authorized Place of Use to be Changed:

Town	ship	Rat	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/NW		3.0
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Transfer Application/4 A

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#### 5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 6734

## Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

## Location of Proposed Place of Use:

Township		Range		Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/SW		1.2
						SE/SW		1.8

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:		 	 

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Transfer Application/5 A

#### 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

<b>V</b>	Certificated Right	46532	15165
		Certificate Number	Permit Number or Decree Name
1 1	Adjudicated, Un-certificated		
	Right	Name of Decree	Page Number
	Permit for which Proof has	P. A. M. A.	Date Claim of Day Call Hay S. L. in .
	been Approved	Permit Number	Date Claim of Beneficial Use Submitted
	Transferred Right for which	Descious Transfer Number	Date Claim of Beneficial Use Submitted
	Proof has been Filed Permit for which an	Previous Transfer Number	Date Claim of Beneficial Use Submitted
1 1	Amendment is Requested	Permit Number	Completion Date of Permit
	Amendment is Requested	1 CHARLINGHIOCI	Completion Date of Femile
N.T.	Desir Could	Badgar Improvement	ent District
Nam	e on Permit, Certificate, or Dec	ree: Badger Improveme	CHIL DISTRICT
Cour	nty:Wasco	Authorized Hea(s). Imig	ation, Supplemental irrigation, domestic, stock use
Cour	ity	_ Audiorized Ose(s).	
Are t	here multiple Priority Dates id	entified on the water right?	□ Yes □ No
			which priority date is associated
	with each of the proposed points	oj aiversion/appropriation t	ma places of use. In addition,
li	ist those priority dates:		NA 2000
Sour	ce(s) of Water Listed on Right:	Badger Creek and Badger L	ake Reservoir
Soul	ce(3) of water Listed on Right.		
	Tributary to: Tygh Creek		
		the sustantials DV	ZNo
	Are there other Sources listed or		
	f "Yes", any information provide		
	ach of the proposed points of di		proposed places of use. In
a	ddition, list those other sources		
Ara	there Other Water Rights or po	ermits associated with this la	and? Ves No
I	f "Yes", what are the Permit or	Certificate Numbers? Per	mits 33228 and 39616
I	Pursuant to ORS 540.510, any re	ight that is supplemental to a	primary right proposed for
	ransfer must be included in the		
Rem	arks: No domestic involved w	ith this transfer.	
	Permits 33228 and 3961	6 are supplemental to only the	he land in the SE/NW, Sec. 1.
			REC
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Certificate Number o	other identifying	number from Page 3	Permit 15165
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A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on *Page 3* affected by this transfer? 

Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

## Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

## Location of Existing Authorized Place of Use to be Changed:

J												
Towi	nship	Ra	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)				
4	S	12	E	w	1	SW/NW		2.3 STK Primary				
						SE/NW		3.0 STK Primary				
4	S	12	Е	W	1	SE/NW		3.0 Supplemental				

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Transfer Application/4 B

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WATER RESOURCES DEPT SALEM, OREGON

#### 5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 15165

#### **Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:**

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### **Location of Proposed Place of Use:**

Town	nship	Rar	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1			Primary
						NE/SW		2.0 + 0.3
						NW/SW		0.3 + 0.8
						SW/SW		1.0
						SE/SW		0.9
								Supplemental
						NE/SW		0.3
						NW/SW		0.8
						SW/SW		1.0
						SE/SW		0.9
						SW/SW		1.0

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	
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Transfer Application/5 B

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WATER RESOURCES DEPT SALEM, OREGON

#### 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

	Contificated Dight	80637	2163
V	Certificated Right	Certificate Number	Permit Number or Decree Name
	Adjudicated, Un-certificated		
ш	Right	Name of Decree	Page Number
	Permit for which Proof has		
ш	been Approved	Permit Number	Date Claim of Beneficial Use Submitted
	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	Permit for which an		
Ш	Amendment is Requested	Permit Number	Completion Date of Permit
	ne on Permit, Certificate, or Dec	ree: Badger Improvem  Authorized Use(s):I	
	there multiple Priority Dates id If "Yes", any information provide with each of the proposed points list those priority dates:  rce(s) of Water Listed on Right:	ded on Page 4 must identify of diversion/appropriation	which priority date is associated
504	Tributary to: Tygh Creek		
	Are there other Sources listed on If "Yes", any information provide each of the proposed points of diaddition, list those other sources	led on <b>Page 4 must</b> identify iversion/appropriation and p	which source is associated with
Are	there Other Water Rights or pe	ermits associated with this la	and? Yes No
	If " <b>Yes</b> ", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the	ight that is supplemental to	a primary right proposed for
Ren	narks:		
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If "No	", the f	ollowing		ic nan				Yes No	)
	ion app			nation i	must		pleted. only for thos v <b>olved in th</b> e		
	Go	vernmen	lot and	donation	ı land o	claim numbers		led in the tables	
ocation	of Exis							riation to be Cha	nged:
Γownship	Range	Me	Sec	1/4 Sect		Gov't Lot or DLC		Survey Coordinates from a recognized surv	vey corner)
ocation	of Exis	ting Au	thorize	ed Plac	e of U	se to be Ch	anged:		
	Towns	hip F	lange	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
	4	S 12	Е	W	1	SW/NW		0.4	
				1 1					

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Transfer Application/4 C

WATER RESOURCES DEPT SALEM, OREGON

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#### 5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 2163

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
				1		

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### **Location of Proposed Place of Use:**

Township		Rar	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)								
4	S	12	Е	W	W	W	W	W	W	W	W	W	W 1	1 SE/SW		0.4

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:	 	 	

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Transfer Application/5 C

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## 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

Contificated Bight		
	76222	22633
✓ Certificated Right	Certificate Number	Permit Number or Decree Name
Adjudicated, Un-certificated		
Right	Name of Decree	Page Number
Permit for which Proof has		D. Cl., CD. C. IV. Ch. ind
been Approved	Permit Number	Date Claim of Beneficial Use Submitted
Transferred Right for which Proof has been Filed	Daniera Tarrefor Muselon	Date Claim of Beneficial Use Submitted
Permit for which an	Previous Transfer Number	Date Claim of Beneficial Use Submitted
Amendment is Requested	Permit Number	Completion Date of Permit
Amendment is Requested	1 CHINE I VIIIIOCI	Competion Date of Fernit
Name on Permit, Certificate, or Dec	ree: Badger Improve	ement District
Traine on Ferning Commence, or 200		
County: Wasco	_ Authorized Use(s): _	Irrigation
list those priority dates: April 12 Source(s) of Water Listed on Right:  Tributary to: Tygh Creek Are there other Sources listed o	Badger Creek and Badge	
	ded on <b>Page 4 must</b> identi liversion/appropriation and	fy which source is associated with
Are there Other Water Rights or p	ermits associated with this	s land? ☑ Yes ☐ No
Are there Other Water Rights or p		
	r Certificate Numbers?! ight that is supplemental t	Permits 33228 and 39616
Are there Other Water Rights or p  If "Yes", what are the Permit or Pursuant to ORS 540.510, any r	r Certificate Numbers? right that is supplemental t transfer or be cancelled. er right have both priority	Permits 33228 and 39616 to a primary right proposed for
Are there Other Water Rights or p  If "Yes", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the  Remarks: All land under this water	r Certificate Numbers? right that is supplemental t transfer or be cancelled. er right have both priority	Permits 33228 and 39616 to a primary right proposed for
Are there Other Water Rights or p  If "Yes", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the  Remarks: All land under this water	r Certificate Numbers? right that is supplemental t transfer or be cancelled. er right have both priority	Permits 33228 and 39616 to a primary right proposed for
Are there Other Water Rights or p  If "Yes", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the  Remarks: All land under this water	r Certificate Numbers? right that is supplemental t transfer or be cancelled. er right have both priority	Permits 33228 and 39616 to a primary right proposed for
Are there Other Water Rights or p  If "Yes", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the  Remarks: All land under this water	r Certificate Numbers? right that is supplemental t transfer or be cancelled. er right have both priority	Permits 33228 and 39616 to a primary right proposed for dates. It takes both to make
Are there Other Water Rights or p  If "Yes", what are the Permit or Pursuant to ORS 540.510, any r transfer must be included in the  Remarks: All land under this water	r Certificate Numbers? right that is supplemental t transfer or be cancelled. er right have both priority	Permits 33228 and 39616 to a primary right proposed for

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Transfer Application/3

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Certificate Number or other identifying number from	n Page 3:	Permit 22633
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A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Range	Mer	Mer Sec Section		1/4 1/4 Gov't Lot Section or DLC	Survey Coordinates (coordinates from a recognized survey corner)		
	Range	Range Mer	Range Mer Sec		Kange   Mer   Sec		

### Location of Existing Authorized Place of Use to be Changed:

	- 8			THE RESERVE OF THE PARTY OF THE			8	
Tow	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	SW/NW		0.6
						SE/NW		4.9

Transfer Application/4 D

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#### 5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 22633

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
	Kange	Kange Mer	Kange Mer Sec	Range Mer Sec Section	Range Mer Sec Section or DLC

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Town	nship	Rar	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	SW/SW		1.5
						SE/SW		4.0

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:			 

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Transfer Application/5 D

### 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

<b>V</b>	Certificated Right	76223	27390
W.		Certificate Number	Permit Number or Decree Name
	Adjudicated, Un-certificated		
	Right	Name of Decree	Page Number
	Permit for which Proof has	P. W. I.	Du Clair Charles Calaine
_	been Approved	Permit Number	Date Claim of Beneficial Use Submitted
	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	Permit for which an	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	Amendment is Requested	Permit Number	Completion Date of Permit
	Amendment is Requested	retuit (4dinoet	Completion Date of Perint
Nan	ne on Permit, Certificate, or Dec	ree: Badger Improvemen	nt District
Ivali	lie on Fernint, Certificate, or Dec	icc	
Cou	nty:Wasco	Authorized Use(s): Irri	igation & Supplemental Irrigation
Are	there multiple Priority Dates ic	lentified on the water right?	☐ Yes ☑ No
	If "Yes", any information provid	led on Page 4 must identify w	hich priority date is associated
,	with each of the proposed points	of diversion/appropriation an	nd places of use. In addition,
	list those priority dates:		
Sou	rce(s) of Water Listed on Right:	Badger Lake Reservoir	
	Tributary to: Tygh Creek		
	Are there other Sources listed or	the water right? 🖂 Yes 🗆	7No
	If "Yes", any information provid		
	each of the proposed points of d		
	addition, list those other sources		special princes of the con-
Are	there Other Water Rights or p	ermits associated with this lan	d? ☑ Yes ☐ No
	If "Yes", what are the Permit or	Certificate Numbers? Perm	its 6734, 33228, and 39616
	Pursuant to ORS 540.510, any r	ight that is supplemental to a	primary right proposed for
	transfer must be included in the		many rigin proposed joi
	iransjer musi be included in the	irunsjer or be careemed.	
Ren	narks: No primary irrigation u	nder this right.	
_ ,,			
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If "Yes	s", the	ter rig e rem e follo	ght ide nainde	ntified r of th inforn	d on P is pag nation	age 3 e need must	affected by	this transfer pleted. only for the	r? Yes []? ose points of the transfer.	No
Location (		ŀ	below o	nly if th	d Poir	mation nt(s) o	is reflected on  f Diversion	the existing v	oriation to be Cl	
ownship	Ran	ge	Mer	Sec	I BUTCHEST STREET	¼ etion	Gov't Lot or DLC	(coordinate	Survey Coordinate es from a recognized s	
ocation (	The Lates	isting nship	g Auth		d Plac	ce of U	Jse to be Ch	Gov't Lot or DLC	Acres (if applicable)	
	4	S	12	Е	W	1	SW/NW		3.0 Supplemental  Badger Lake Reservoir	

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Transfer Application/4 E

#### 5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 27390

### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Town	nship	Rar	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	SW/SW		1.2
						SE/SW		1.8

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: From Badger Lake Reservoir for Supplemental Irrigation.	
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#### 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

	Authorized Use(s): lentified on the water rigided on Page 4 must identified of diversion/appropriate  Badger Creek and Pine	Irrigation, Supplemental Irrigation, Recreation  ht? Yes No  tify which priority date is associated ion and places of use. In addition,
judicated, Un-certificated with the mit for which Proof has an Approved ansferred Right for which has been Filed mit for which an hendment is Requested has Permit, Certificate, or Dec Wasco  Wasco  The multiple Priority Dates in the proposed points have priority dates:  So of Water Listed on Right:  Tributary to: White River	Permit Number  Previous Transfer Number  Permit Number  Permit Number  Authorized Use(s):  ded on Page 4 must identified on the water rigided on Page 4 must identified of diversion/appropriations of diversion/appropriations.  Badger Creek and Pine	Page Number  Date Claim of Beneficial Use Submitted  Completion Date of Permit  rative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  ht?  Yes  No  tify which priority date is associated ion and places of use. In addition,
mit for which Proof has en Approved ansferred Right for which of has been Filed mit for which an nendment is Requested and Permit, Certificate, or Dec Wasco  Wasco  e multiple Priority Dates in each of the proposed points hose priority dates:  s) of Water Listed on Right:  Tributary to:White River	Permit Number  Previous Transfer Number  Permit Number  Tree: Pine Hollow Cooper  Authorized Use(s):  dentified on the water rigited on Page 4 must identified of diversion/appropriation of diversion/appropriation.  Badger Creek and Pine	Date Claim of Beneficial Use Submitted  Completion Date of Permit  Tative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  tht? Yes No  tify which priority date is associated ion and places of use. In addition,
mit for which Proof has en Approved ansferred Right for which sof has been Filed mit for which an nendment is Requested an Permit, Certificate, or Dec Wasco  Wasco  The multiple Priority Dates is each of the proposed points those priority dates:  So of Water Listed on Right:  Tributary to: White River	Permit Number  Previous Transfer Number  Permit Number  Tree: Pine Hollow Cooper  Authorized Use(s):  dentified on the water rigited on Page 4 must identified of diversion/appropriation of diversion/appropriation.  Badger Creek and Pine	Date Claim of Beneficial Use Submitted  Completion Date of Permit  Tative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  tht? Yes No  tify which priority date is associated ion and places of use. In addition,
en Approved unsferred Right for which of has been Filed emit for which an nendment is Requested  n Permit, Certificate, or Dec  Wasco  we multiple Priority Dates id each of the proposed points hose priority dates:  s) of Water Listed on Right:  Tributary to: White River	Previous Transfer Number  Permit Number  Tree: Pine Hollow Cooper  Authorized Use(s):  dentified on the water rigided on Page 4 must identified of diversion/appropriations of diversion/appropriations.  Badger Creek and Pine	Date Claim of Beneficial Use Submitted  Completion Date of Permit  rative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  tht?  Yes  No  tify which priority date is associated ion and places of use. In addition,
msferred Right for which of has been Filed mit for which an nendment is Requested  Permit, Certificate, or Dec Wasco  wasco  e multiple Priority Dates in each of the proposed points hose priority dates:  s) of Water Listed on Right:  Tributary to: White River	Previous Transfer Number  Permit Number  Tree: Pine Hollow Cooper  Authorized Use(s):  dentified on the water rigided on Page 4 must identified of diversion/appropriations of diversion/appropriations.  Badger Creek and Pine	Date Claim of Beneficial Use Submitted  Completion Date of Permit  rative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  tht?  Yes  No  tify which priority date is associated ion and places of use. In addition,
wasco  e multiple Priority Dates id each of the proposed points those priority dates:  s) of Water Listed on Right: Tributary to:White River	Permit Number  Tree: Pine Hollow Cooper  Authorized Use(s):  dentified on the water rigided on Page 4 must identified of diversion/appropriate  Badger Creek and Pine	Completion Date of Permit  rative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  tht?  Yes  No  tify which priority date is associated ion and places of use. In addition,
mit for which an nendment is Requested  n Permit, Certificate, or Dec Wasco  e multiple Priority Dates id each of the proposed points hose priority dates:  s) of Water Listed on Right:  Tributary to: White River	Permit Number  Tree: Pine Hollow Cooper  Authorized Use(s):  dentified on the water rigided on Page 4 must identified of diversion/appropriate  Badger Creek and Pine	Completion Date of Permit  rative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  tht?  Yes  No  tify which priority date is associated ion and places of use. In addition,
wasco  Wasco  e multiple Priority Dates ides", any information provide each of the proposed points hose priority dates:  s) of Water Listed on Right:  Tributary to:White River	Authorized Use(s):  dentified on the water rigited on Page 4 must identified of diversion/appropriate  Badger Creek and Pine	rative, Inc. and ODFW  Irrigation, Supplemental Irrigation, Recreation  tht? Yes No  tify which priority date is associated ion and places of use. In addition,
Wasco  Wasco  e multiple Priority Dates identificate, or Decentificate, or Decentifi	Authorized Use(s): lentified on the water rigided on Page 4 must identified of diversion/appropriate  Badger Creek and Pine	Irrigation, Supplemental Irrigation, Recreation  ht? Yes No  tify which priority date is associated ion and places of use. In addition,
Tributary to:White River		Hollow Reservoir
of the proposed points of di	ded on <b>Page 4 must</b> ident iversion/appropriation at	es  No tify which source is associated with nd proposed places of use. In
e Other Water Rights or pe	ermits associated with th	is land?   ✓ Yes   No
ruant to ORS 540.510, any r	ight that is supplemental	
s: Recreation is an in reser	rvoir use.	
		RECEI
		NEVEL
		AUG 0 5
i	ition, list those other sources re Other Water Rights or p Yes", what are the Permit or suant to ORS 540.510, any r esfer must be included in the	re Other Water Rights or permits associated with the Yes", what are the Permit or Certificate Numbers? suant to ORS 540.510, any right that is supplemental after must be included in the transfer or be cancelled.  The secretary is an in reservoir use.

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Transfer Application/3

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on *Page 3* affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed. If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

#### Location of Existing Authorized Place of Use to be Changed:

Tow	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	Е	W	1	SW/NW		3.6 Supplemental	
						SE/NW		7.9 Supplemental	
-									
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									RECEIVI
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Transfer Application/4

#### 5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 33228

#### Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:

Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)
	Range	Range Mer	Range Mer Sec		Kange   Mer   Sec

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### Location of Proposed Place of Use:

Tow	nship	Ran	nge	Mer	Sec	¼¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	Е	W	1	NE/SW		0.3
						NW/SW		0.8
						SW/SW		3.7
						SE/SW		6.7

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:			

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Transfer Application/5

#### 4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Water Right Subject to Transfer (check and complete one of the following):

✓ Certificated Right	51487	39616
	Certificate Number	Permit Number or Decree Name
Adjudicated, Un-certificated		
Right	Name of Decree	Page Number
Permit for which Proof has		
been Approved	Permit Number	Date Claim of Beneficial Use Submitted
Transferred Right for which	D. C. N. I.	D. Chi. CD Ci.IV. Ol. iv. I
Proof has been Filed Permit for which an	Previous Transfer Number	Date Claim of Beneficial Use Submitted
Amendment is Requested	Permit Number	Completion Date of Permit
Amendment is requested	1 chilit (vainoci	Completion Date of Fernit
Name on Permit, Certificate, or Dec	cree. Pine Hollow Cooper	rative, Inc.
County:Wasco	Authorized Use(s):	Supplemental Irrigation
Are there multiple Priority Dates is		_
If "Yes", any information provi	ded on Page 4 must iden	tify which priority date is associated
	0	ion and places of use. In addition,
list those priority dates:	V TF T	
	<u> </u>	
Source(s) of Water Listed on Right:	Three Mile Creek and Pin	e Hollow Reservoir
Tributary to:White River		
Are there other Sources listed o	n the water right? \(\Pi\)Y	es 🛮 No
	_	tify which source is associated with
each of the proposed points of a	-	••
addition, list those other source		na proposed places of use. In
addition, side sinuse uniter source.		
Are there Other Water Rights or p	ermits associated with th	is land? ☑ Yes ☐ No
If "Yes" what are the Permit of	r Certificate Numbers?	Permits 6734, 15165, 22633, 27390, 33228
•	-	to a primary right proposed for
	0 11	
transfer must be included in the	iransjer or ve cancellea.	
Remarks:		
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Transfer Application/3 6

Certificate Number or other identifying number from Page 3: Permit 396	· Permit 39616	Page 3:	number from	identifying	other	er or	Number	Certificate
--	----------------	---------	-------------	-------------	-------	-------	--------	-------------

A separate page providing the following information must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Is the entire water right identified on Page 3 affected by this transfer? Yes No If "Yes", the remainder of this page need not be completed.

If "No", the following information must be provided only for those points of diversion/appropriation and places of use that are involved in the transfer.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

#### Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

#### Location of Existing Authorized Place of Use to be Changed:

Town	nship	Rai	nge	Mer	Sec	V4 V4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/NW		3.6
						SE/NW		7.9

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Transfer Application/4 G

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#### 5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from Section 4: Permit 39616

#### **Location of Proposed Point(s) of Diversion or Point(s) of Appropriation:**

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Survey Coordinates (coordinates from a recognized survey corner)

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

#### **Location of Proposed Place of Use:**

Township		Township		Range		Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	NE/SW		0.3		
						NW/SW		0.8		
						SW/SW		3.7		
						SE/SW		6.7		
			-							

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks:		 	 	 

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WATER RESOURCES DEFI SALEM, OREGON

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### 6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

	e water rights propose istrict?	d for transfer located within or served	by an irriga	ation or
Will any of th		ted within or served by an irrigation or	other water	er district
	ny of the rights supplied with a Federal agency?	ed under a water service agreement or Yes No	other contr	ract for
If "Yes", for	any of the above, list t	he name and mailing address of the di	strict and/c	or agency:
	provement District	Pine Hollow Coopera		
80309 Ros		80309 Ross Road		
Wamic, Ol	R 97063	Wamic, OR 97063		
	and tribal governments	of all affected local governments (e.g., s within whose jurisdiction the rights a		
If "No", p notarized	provide the following i	ROM which the right is being transfer information. For Temporary Transfers insent to the transfer from each of the limit.  Durmac Ranches, Inc.	, also inclu	de a
	80455 Warnic Market	First	Last	
	Tygh Valley	OR 9	97063	
	City	State	Zip	
	icant own the lands To provide the following is	O which the right is being transferred? information:	✓ Yes	□No
Names of	Receiving Landowner	r(s):	Lord	
Address:		riist	Last	
Check one of	City the following:	State	Zip	
		e responsible for completion of the pro and correspondence should be sent to		vner.
		nsible for completion of changes. Notice to be sent to the applicant and applica		
	- 999-	Transfer Application/6		AUG 0 5 2005

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### 8. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Form A – Evidence of Use Affidavits	Land Use Information Form:
At least one Evidence of Use Affidavits	Enclosed
that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.  Form B – Instream Water Right Transfer  Required for instream transfers only.	Not Required if all of the following are met:  In EFU zone or irrigation district, Change in place of use only, No structural changes needed, including diversion works, delivery facilities, other structures, and Irrigation only.
Map	Water Well Reports/Well Logs:
Permanent Water Right Transfer The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.  Permit Amendment, Temporary Transfer, or Other Application A map meeting the requirements of OAR 690-380- 3100 must be included but need not be prepared by a Certified Water Right Examiner.	<ul> <li>□ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</li> <li>□ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</li> <li>□ The application is for a surface water transfer and</li> </ul>
Evidence of Lien Holder Notification	water well reports are not required.
<ul> <li>□ Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.</li> <li>Recorded Deed</li> <li>□ Required for temporary transfers only.</li> </ul>	Fees:  Amount enclosed: \$  See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.
9. SIGNA	ATURES
if required under OAR 690-380-3000(18), and	epared by a title company within the last three months andowner or entity to which the water right has been ership information is not required.  plication is true and accurate.
applicant signature name (print)	iata
Before submitting your app  Answered each question completely.  Included the required attachments.  Provided original signatures for all named deed holded included a check payable to the Oregon Water Resource.	ers or other parties with an interest in the right.
	NIC 0 5 2005

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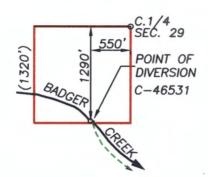
Transfer Application/7

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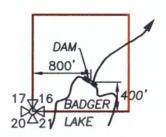
pane	SE	Source	Trib	pr Date	APP	Per	cert	Carr
F.A. Morrow	IR	Boolger creek	Tygh Creek	4-27-1925	5-10137	5-6734		*
Badger Simprovena	DEV	Threemike CR Badger Gake Res	Who te River Badger Creek	10-21-1929	<del>-</del>	5-15165		1
//	IR	Highland Ditch	Bodger	8-8-1914	-	S-2163		
	IR	Badger Creek Res	White River. Badger Crack	4-12-1941	0	5-22633	76222	NC
,,	1c	Badger Creek	White River	3 - 22-1961	•	5-27390	76223	N
Pine Hollow Coop	IR	Badger Cruck	Tygh Creek		5.452/2	5.33228	51486	No
Dept Fish + Wild.	IS	pine Hollow Res Threemile CR	Pine Hollow White Rive	5-1-1975	5.53066	5.39616	51487	Ne
Coop.	<i>ν</i> >	pin Hollow Res	Pine Hollow				esse of the production of the transfer	and the second
			The state of the s		7		N.C. of Control of the Control of th	

## WASCO COUNTY, OREGON

BADGER CREEK TWP. 3 S., RANGE 11 E. W.M. NE.1/4, SW.1/4, SEC. 29



BADGER LAKE RESERN TWP. 3 S., RANGE 10 E. SW.1/4, SW.1/4, SEC.



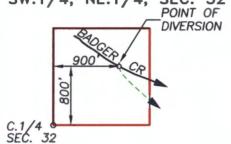
BADGER CREEK

(SOUTH FORK BADGER CREEK)

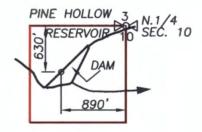
TWP. 3 S., RANGE 11 E. W.M.

SW.1/4, NE.1/4, SEC. 32

POINT OF

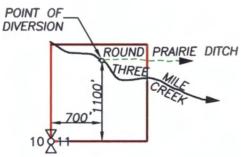


PINE HOLLOW RESERVOIR TWP. 4 S., RANGE 12 E. W.M. NE.1/4, NW.1/4, SEC. 10



7-9990

THREE MILE CREEK
TWP. 4 S., RANGE 11 E. W.M.
SW.1/4, NW.1/4, SEC. 11



# WATER RIGHT POINT OF DIVERSIONS RECEIVED

SCALE: 1"= 1320'

AUG 0 5 2005

WATER RESOURCES DEF SALEM, OREGON

APPLICATION No. T-9990

PERMIT No.

IN THE NAME OF:

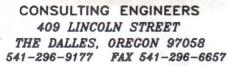
McALLISTER RANCH

DATE: \_\_JULY 7, 2005



EXPIRES: <u>06/30/06</u>

# TENNESON ENGINEERING CORP.





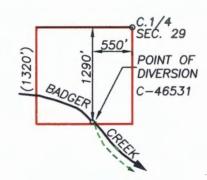
#### NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

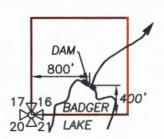
W.O. #11572wr2

## WASCO COUNTY, OREGON

BADGER CREEK TWP. 3 S., RANGE 11 E. W.M. NE.1/4, SW.1/4, SEC. 29



BADGER LAKE RESERVOIR TWP. 3 S., RANGE 10 E. W.M. SW.1/4, SW.1/4, SEC. 16



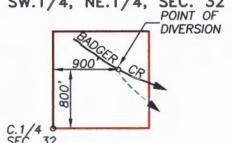
BADGER CREEK

(SOUTH FORK BADGER CREEK)

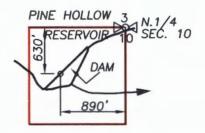
TWP. 3 S., RANGE 11 E. W.M.

SW.1/4, NE.1/4, SEC. 32

POINT OF

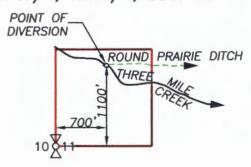


PINE HOLLOW RESERVOIR
TWP. 4 S., RANGE 12 E. W.M.
NE.1/4, NW.1/4, SEC. 10



1-9990

THREE MILE CREEK
TWP. 4 S., RANGE 11 E. W.M.
SW.1/4, NW.1/4, SEC. 11



# WATER RIGHT POINT OF DIVERSIONS RECEIVED

SCALE: 1"= 1320'

AUG 0 5 2005

WATER RESOURCES DEF SALEM, OREGON

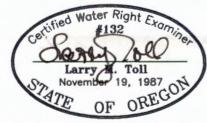
APPLICATION No. T. 9990

PERMIT No.

IN THE NAME OF:

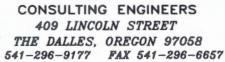
McALLISTER RANCH

DATE: JULY 7, 2005



EXPIRES: 06/30/06

# TENNESON ENGINEERING CORP.





#### NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

W.O. #11572wr2

# Water Right Transfer Supplemental Form A AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon	) ) ss
County of Wasco	) 55
I, Bill McAllister	, in my capacity as Ranch Manager
mailing address 80455 Wamic Mark	cet Road, Tygh Valley, OR 97063
telephone number (_503_)784-0836	, being first duly sworn depose and say:
1. I attest that:	
water right proposed for transf  The water right is not subject t	vious five years on the entire authorized place of use of the as described on the accompanying transfer application, to forfeiture and documentation that a presumption of the rebutted under ORS 540.610(2) is attached.
2. My knowledge of the exercise o	r status of the water right is based on (check one):
Personal observation	☐ Professional expertise
3. My knowledge is specific to the	use of water at the following locations:

Γow	nship	Rar	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	E	W	1	SW/NW		6.3	3
						SW/NW		7.9	)
									RECEIVED
									AUG 0 5 2005
_									WATER RESOURCES DE SALEM, OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

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4. The water right was exercised for the authorized purpose described below (e.g., crops grov	,
The water is used to irrigate about 135 acres of hay and pasture land. In the fall the land that if for hay is then pastured.	S
Tot hay is then pastured.	
5. The water delivery system used to apply water as authorized by the right is described below	w:
The water is delivered to the ranch by the Badger Ditch system. Water is delivered by gravity	
to a pond. The water is then pumped from the pond and used to sprinkle irrigate about 135 ac	res
in this portion of the ranch.	
6. One or more of the following documentation supporting the above statements is attached:	
Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),	g
☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,	
Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,	
☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,	
Dedicated power usage records or receipts,	
Other: Receipt from the Badger Improvement District for water delivery. This shows the	at
assessment is current and no back assessment is outstanding	
William Rm Carliston 8/105	
Signature of Affiant Date	
Signed and sworn to (or affirmed) before me this 1 day of 404057, 2002	<u>5</u> .
OFFICIAL SEAL PEN IAMIN PESSEDA	
BENJAMIN B. BESEDA NOTARY PUBLIC-OREGON COMMISSION NO. 380407 MY COMMISSION EXPIRES JUNE 4, 2008	
My Commission Expires: JUNE 4, 200	<u>`</u>

**Please print legibly or type.** Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

Supplemental Form A

T.9990

- 2 RECEIVE fidavit Attesting to the Use of Water

AUG 0 5 2005

\* \* \* WASCO ELECTRIC CO-OP \* \* \*

Customer Maintenance - History - Electric 4552-6 Name MC ALLISTER RANCHES INC.

Rating 9015

SHANNONS1

----- 1997 -----1999 -----1998 -----Usage Charges Charges Usage Usage Charges Jan Feb Mar Apr May 60.35 1775 8113 275.84 Jun 2 .07 1489 50.63 6997 Jul 237.90 7.21 212 559 19.01 6223 211.58 Aug 377 12.82 522 17.75 2917 99.18 Sep 262 105.97 180 6.12 1156 39.30 Oct 467 15.88 Nov 35.54-Dec 4380 113.39 998 131.00 25873 879.68 Tot 250 32.75 730 18.90 4312 146.61 Avq F1=No Chgs/Chgs F2=Next Service F3=Exit F5=Yrs-Forward F6=Yrs-Previous F12=Cancel F23=Status

RECEIVED

AUG 0 5 2005

\* \* \* WASCO ELECTRIC CO-OP \* \* \*

Customer Maintenance - History - Electric 4552-6 Name MC ALLISTER RANCHES INC. Rating 9015

Cust #

F12=Cancel

----- 2002 -----2001 -----2000 ----------Usage Charges Usage Charges Usage Charges Jan Feb Mar Apr 64 2.18 1623 37.50 2830 55.18 1103 96.22 May 121.92 193.73 5698 3586 Jun 5597 190.30 6497 220.90 6264 212.98 Jul 7360 250.24 Aug 9046 307.56 609 20.71 6172 209.85 5916 201.14 671 22.81 3649 124.07 Sep 99.76 2771 295 10.03 509 17.31 Oct Nov Dec Tot 31551 1078.27 12528 425.95 26181 890.17 4507 154.04 1790 60.85 2618 89.02 Avq F2=Next Service F3=Exit F5=Yrs-Forward F6=Yrs-Previous F1=No Chgs/Chgs

SHANNONS1

AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

F23=Status

\* \* \* WASCO ELECTRIC CO-OP \* \* \*

Customer Maintenance - History - Electric 4552-6 Name MC ALLISTER RANCHES INC. Rating 9015

2005 -----2004 -----2003 -----Usage Charges Usage Charges Usage Charges Jan Feb Mar 300.00 Apr 262 10.56 532 280.85-1729 69.68 1603 64.60 May 14.75 5847 366 235.63 Jun 3884 139.82 Jul 2190 88.26 4213 151.67 8978 Aug 361.81 8310 299.16 Sep 4032 162.49 4823 173.63 107.96 Oct 2679 220 7.92 Nov Dec Tot 2095 84.43 25591 1031.31 21982 791.35 698 28.14 3656 147.33 2748 98.92 Avg F1=No Chgs/Chgs F2=Next Service F3=Exit F5=Yrs-Forward F6=Yrs-Previous F12=Cancel F23=Status

RECEIVED

SHANNONS1

AUG 0 5 2005

## BADGER IMPROVEMENT DISTRICT INC., 80309 ROSS RD. TYGH VALLEY, OR 97063

MEMBER WILLIAM MCALLISTER

2005 ASSESSMENT @ \$3.50 PER ACRE ON 983.65 ACRES = \$3,442.78

LOWER DITCH TURN OUT FEE @ \$150 PER TURN OUT = \$ 350.00

TOTAL \$3,792.78

DUE WHEN RECEIVED

THANK YOU

Secretary allren

AUG 0 5 2005
WATER RESOURCES DEPT SALEM, OREGON

00 78 6-14-05

,

#### **AFFIDAVIT**

I, William R. McAllister, President of Durmac Ranches, Incorporated, understand that McAllister Ranches is filing with the Oregon Water Resources Department an Application for Water Right Transfer. This application proposes to move water rights from Durmac Ranches to McAllister Ranches land.

Durmac Ranches understands the purpose of this transfer and has no objections to this transfer being completed.

William R. McAllister, President

Date: 8/105

STATE OF OREGON	)
1.	) ss.
County of WASCO	)

Subscribed and Sworn to Before Me this 15

OFFICIAL SEAL

BENJAMIN B. BESEDA

NOTARY PUBLIC-OREGON

COMMISSION NO. 380407

MY COMMISSION EXPIRES JUNE 4, 2008

day of Assured , 2005

Notary Public for Oregon
My Commission expires: June 4, 2008

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AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

< wo#11572>

T-9990

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577,000

7 REVISED 12-3-97, 90

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SEE MAP 4S 12

1.9990

AUG 0 5 2005
WATER RESOURCES DEPT SALEM, OREGON

								PARCE	LR	ECORD	- Cartographic Unit		Page	/	of 2
Code Area	Township 45	Range 12	Section	1/4	1/16	Parcel N	o O	T	уре	Number	Formerly part of				
	Map Number Special											History of Parce	əl		
		Tax Lot Number Interest										Date of Entry/		Record	Acres
		-	History of F	Parcel Prior	r to Re-m	apping					Exceptions/Additions	Acquisition	Volume	Page	Remaining
revious Accoun	t Number			Previous Tax											
	1086	0			45	12	2	00							
MAP NUMBER	2G0 TALLOT NOVINGEN B	s seec.	1-3 1-3 coot AREA HUMBER		OF REAL	ASSESS	ERTY 4	Virgini.	=		Exc: Co. Pd.	197	LL 97	A / 9/6	182.35
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Co Rd			6.41				99 26	386.81			1				
<b>9</b> w				Cor	tract 12	-8-75	75 255	4 .			12.				
Exc: Re	located Ross	Co. Rd	. 4.:	23	WD 2-2	25-81	80 880	382,58							
Revise Part P	Co Rd 6 Ross Co Rd 4 rd desc Plat 95-0037 r por Par 2 6		In T4S R12		3-5	5-96 5-96		388.99 393.22							
Exc: P	eorrection - Par 201 (por Par 202 (por loss Co Rd	Par 3)	99.55 186.45 3.44		3-5 3-5 3-5		96105								
LLA to LLA to Also: I	Ross Co. Rd o Parcel 700 o Parcel 800 ir Parcel 3501 Parcel 201, 202, 30	02, 2803	3.44 -4.55 -13.60 +10.21 460.37	_		, -, 0		102.00 97.45 83.85 94.02 554.43							
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ode Area	Township	Range	Section	1/4	1/16	Parcel Nu	mber	Туре	Number			Page	2 (	of 2
1-3	45	12	,			5	20			Formerly part of				
	13 12 1								Cassial		History of Parce	ol .		
	Map Number Tax Lot Number								Special Interest					
	History of Parcel Prior to Re-mapping									Exceptions/Additions	Date of Entry/ Acquisition	Volume	Page	Acres Remainin
evious Account Nu	mber			Previous Tax										
10860 45 12 200						)								
MAP NUMBER	200	TYPE SPEC. INT. IN SEAL PROP.	CODE AREA NUMBER	FORMERLY P	OF R	DATE OF ENTRY	SOR'S OFF							
th NOE SW1/4 th N89 th S23* th S90* th NO* th E alg th S3*5  Exc: Co	th NOE to sd pt that bears \$64°26'33"E 2929.70' fr the NW cor of \$\text{SW1/4}\$ ad Sec 1; th N89°32'59"W 595.29'; th \$23°23'24"W 784.45'; th \$90°W to the E/L of the W 300.00; of the \$\text{SW1/4}\$ ad Sec 1; th \$\text{N0"B alg sd E line to the N/L of the \$\text{SW1/4}\$ of sd Sec 1; th \$\text{R0"B alg sd E line to the N/L of the \$\text{SW1/4}\$ of the \$\text{TPOB}\$.  Exc: Co. Rd. 3.04		of the	7/18/97	VOL. PE.	179.31		·			-			
Acres Correc Also: Vacated		acent		4.22		12/1/97 12/1/97		175.09 179.31						
	AL WATER SALL	ECE JG 0 :	EVEL 5 2005 RCES DEF	0										

#### WARRANTY DEED

After recording return Ontil a change is requested, all After tax statements should be sent to: to: After Durmac Ranches, Inc.

9155 Sul Daces to Suit 410

112 W. The pall

Dunn, Toole Coats & Carter The Dalles, OR 97058

WESLEY ROSS and SUZANN ROSS ALSUP, Grantors, convey and warrant to DURMAC RANCHES, INC., Grantee, the following

The true consideration for this transfer is \$118,000.00.

described real property in the County of Wasco, State of Oregon, free of encumbrances except as specifically set forth herein:

Townsh. The th. Range 12 East of the Willamette Meridia. Mag > County. Oregon:

Section 1: Lot 2: SWNWW; the South 10 acres of Lot 3 and the SWWNEW.

EXCEPTING THEREFROM the following described tract: Beginning at the Southwest corner of said Section 1; thence North 2645.53 feet to the West quarter corner of said Section 1; thence North 87 degrees 34 minutes 52 seconds East 1021.9 feet to the true point of beginning of the herein described tract; thence North 0 degrees 31 minutes 56 seconds West 390.85 feet; thence North 88 degrees 20 minutes 23 390.85 feet; thence North 88 degrees 20 minutes 23 seconds West 623.18 feet; thence North 69 degrees 13 minutes 58 seconds West to the West line of the MNX of said Section; thence South along the said West line to the West quarter corner of said Section; thence East along the South line of said Section; thence East along the South line of said MNX to a point bearing South 0 degrees 31 minutes 56 seconds East of the true point of beginning; thence North 0 degrees 31 minutes 56 seconds West to the true point of beginning. of beginning.

ALSO EXCEPTING THEREFROM: The North 15 acres of Lot

easement ten feet in width for An construction, operation, maintenance, and repair of

1 - WARRANTY DEED

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960151 (4)

AUG 0 5 2005

an underground irrigation water line extending from the Wast line of the East 690 feet of the SENNEX of Section 2, Township 4 South, Range 12 East of the Willamette Meridian, Wasco County, Oregon, running there in an Easterly direction across the East 690 feet of said SENNEX of Section 2, and further extending, from West to East across the following described tract:

Beginning at the Southwest corner of said Section 1; thence North 2645.53 feet to the West quarter corner of said Section 1; thence North 87 degrees 34 minutes 52 seconds East 1021.9 feet to the true point of beginning of the herein described tract; thence North 0 degrees 31 minutes 56 seconds West 390.85 feet; thence North 88 degrees 20 minutes 23 seconds West 623.18 feet; thence North 69 degrees 13 minutes 58 seconds West to the West line of the NWW of said Section; thence South along the said West line to the West quarter corner of said Section; thence East along the South line of said NWW to a point bearing South 0 degrees 31 minutes 56 seconds East of the true point of beginning; thence North 0 degrees 31 minutes 56 seconds West to the true point of beginning, all in Section 1, Township 4 South, Range 12 EWM, Wasco County, Oregon, to a point on the East line of said tract just described.

#### SUBJECT TO AND EXCEPTING:

- 1. The assessment roll and the tax roll d. that the within described premises were specially assessed as farm use land. If the land becomes disqualified for the special assessment under the statute, an additional tax and interest thereon may be levied for the last five or lesser number of years in which the land was subject to the special land use assessment and in addition thereto a penalty may be levied if notice of disqualification is not timely given, which obligations are assumed by Buyer.
- Rights of the public in and to that portion of the herein described property lying within the boundaries of roads and highways.
- The premises are within the boundaries of the Badger Improvement District, and are subject to the levies,

2 - WARRANTY DEED

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960151(4)



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easements and assessments thereof, and regulations concerning the same.

- 4. Right of Way Easement, including the terms and provisions thereof, to construct, operate, repair, maintain and replace a pipeline or pipelines granted to Shear Spring Water Association, Inc. by instrument recorded March 31, 1950, in Book 118, Page 436, Deed Records for Wasco County, Oregon.
- Any liens or encumbrances created by grantee or its assigns.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR POREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 2.45 day 95 Mal. 1999

WESLEY ROSS

SUZANN ROSS ALSUP

STATE OF OREGON

County of (tachment)

The foregoing instrument was acknowledged before me this day of the 1995, by Wesley Ross.

Notary Public for Oregon

My Commission Expires:

3 - WARRANTY DEED

OFFICIAL SEAL
MICHAEL DETINIC
MOTARY PUBLIC-OFFEDON
COMMISSION NO. C10849
MY COMMISSION EPPES APR. 2, 1999

960151(+)

RECEIVED

AUG 0 5 2005

WATER RESOURCES DEPT.

1.9990

1.60 %

STATE OF OREGON) County of Wasco)

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The foregoing instrument was acknowledged before me this and day of Many 1995, by Suzama Ross Alsup.

Notary Public for Organ My Commission Expires;



KAREN SWEDBERB BROEML HOTARY PUBLIC-OREGON COMMISSION NO. 035627 MY COMMISSION EXPIRES SEP. 27, 193

960151(4)

FILED WASCO CTY THE DALLES OR.

Jan 12 18 on AM 198

KAREH & LLBRETON

- WARRANTY DEED

960151(4)

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AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

T.9990

Attorneys at Law, 305 Cascade Street
P.O. Box 325, Hood River, Oregon 97031
,
Until A Change Is Requested, All Tax Statements
Shall Be Sent to The Following Address:
Durmac Ranches, Inc.
80445 Ross Road
Tygh Valley, Oregon 97063
Portion of:
Tax Acct. No. 13-4S-12E-1-300, Ref. No. 16152
True Actual Consideration Paid Is \$1.00 And Other
Good and Valuable Consideration
Good and valuable Consideration

After Recording Deliver to:

Annala, Carey, Baker & Thompson, P.C.

#### STATUTORY WARRANTY DEED

WILLIAM R. McALLISTER, hereinafter called "grantor," conveys and warrants to DURMAC RANCHES, INC., an Oregon corporation, hereinafter called "grantee," the following described real property, free of encumbrances except as specifically set forth herein, situated in the County of Wasco and State of Oregon, to wit:

The West 642 feet of the East one-half of the Northeast one-quarter (E½NE¼) of Section 1, Township 4 South, Range 12 East, Willamette Meridian, Wasco County, Oregon; EXCEPTING THEREFROM that portion situated Northerly of the centerline of the channel of Badger Creek.

SUBJECT TO:

- 1. Existing rights of way for roads, highways, irrigation ditches, canals, and pole lines.
  - 2. The rights of the public in roads and highways.
- 3. The herein described property lies within the boundaries of the Badger Creek Irrigation District, and is subject to the levies, assessments and easements thereof, if any.
- Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of unnamedwaterways.

5. Easements for utilities, roads and irrigation pipelines as provided for and/or delineated on said Plat.

WATER RESOURCES DEPT SALEM, OREGON

- 6. Restrictions, easements and dedications contained on the face of said plat.
- 7. Easements, rights of way, agreements, restrictions, regulations, taxes, liens and encumbrances of record.

TO HAVE AND TO HOLD the same unto the said grantee, and grantee's successors and assigns forever.

The said property is free from encumbrances except as set forth above.

The true and actual consideration paid for this transfer is \$1.00 and other good and valuable consideration.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

GRANTOR: William R. McAllister

STATE OF OREGON

) ss.

County of Hood River

June 24, 2004

Personally appeared the above named grantor, WILLIAM R. McALLISTER, and acknowledged the foregoing instrument to be grantor's voluntary act and deed.

1.9990

Before Me:

OFFICIAL SEAL
ADA L NEUFELDT
NOTARY PUBLIC-OREGON
COMMISSION NO. 340002
MY COMMISSION EXPIRES NOV 24, 2004

Notary Public for Oregon My Commission Expires:

11/24/2004

OD RIVER, OREGON 97031

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AUG 0 5 2005

COUNTY OF WASCO

#### CERTIFICATE OF WATER RIGHT

#### This is to Certify, That P. A. MORROW

State of Oregon , kas made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right so the waters of BADGER CREEK

for the purpose of Irrigation a tributury of White River of the State Engineer, and that said right to the use of said waters under Permit No. 6754 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 27, 1925;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.15 cubic foot per second;

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

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-ciphticth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial wee), is as follows: 5 acres in Swill, Section 1, 5 acres in Shilly, Section 4, T. 4 S. R. 12 E. W. M., in Wasco County, Oregon, being a total of 10 acres.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this

25rd

June

, 194.

PRINCE LIBERT State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7

, page7221

AUG 0 5 2005

WATER RESOURCES OREGON

COUNTY OF

WASCO

#### CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BADGER IMPROVEMENT DISTRICT

of Wamic Rural Station, Wamic , State of Oregon, 97063 , has made of to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Badger Lake Reservoir constructed under Permit Ho. R-773

a tributary of White River for the purpose of irrigation of 482.3 acres and supplemental irrigation of 654.72 acres, domestic and stock use and that said right to the use of said waters has been perfected in under Permit No. 15165 accordance with; the laws of Oregon; that the priority of the right hereby confirmed dates from October 21, 1929 that the amount of water to which such right is entitled and hereby confirmed, for the purposes

oforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 24.0 cubic feet per second, being 12.06 c.f.s. from Badger Creek for irrigation 11.80 C.f.s. from Badger Lake Reservoir for supplemental irrigation; and 0.14 c.f.s. from Badger Creek for domestic and stock use.

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SNE NEE, Section 32, T. 3 S., R. 11 E., W. M.

The amount of water used for irrigation, together with the amount secured under any other a diversion of not to exceed one acre foot per acre during any 30 day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, that the rate of flow shall not exceed one-fortieth of a second foot per acre up to July 1st of each year and thereafter not to exceed one-eightieth of a second foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein,

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

A description of the place of use under the right hereby confirmed, and to which such right

is appurtenant, is as follows:

SEE NEXT PAGE

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4.0 acres SMs SMs Section 33								
	T.	3	S.,	R.	12	E.,	W.	M
		16	0 -	~~~	- 51	a. e	C1.	

15.0 acres SE% SE% Section 2 T. 4 S., R. 11 E., W. M.

15.0 acres SW<sub>4</sub> NE<sub>4</sub> 8.6 acres SW<sub>5</sub> NW<sub>5</sub> 15.0 acres SE<sub>5</sub> NW<sub>5</sub> 20.0 acres SW<sub>5</sub> SE<sub>6</sub> 30.0 acres SE<sub>6</sub> SE<sub>7</sub> Section 1

34.0 acres SW4 NW4 17.7 acres SE4 SW4 16.9 acres NE4 SE4 Section 2

5.0 acres NH2 NE2 20.0 acres SH2 NE2 8.0 acres SE2 NE2 NE2 15.7 acres NE2 NH2

4.0 acres SHS NHS T-4317 APAV all

8.0 acres NEW SEW 6.0 acres NEW SEW 5.0 acres SEW SEW Section 3

2.5 acres SH4 NH4 15.0 acres SE4 NH4 11.7 acres SH4 SH4 Section 4

15.0 acres SE% NW% Section 5

20.0 acres SEs SEs Section 7

8.0 acres SM4 SM4 Section 8

5.0 acres MM<sub>4</sub> MM<sub>4</sub> 7.0 acres SM<sub>4</sub> SE<sub>4</sub> 6.5 acres SE<sub>4</sub> SE<sub>5</sub> Section 9

5.3 acres SW% NE% 7.3 acres NE% SE% 10.6 acres NW% SE% Section 10

10.0 acres NE% NM% 6.0 acres SE% SM% Section 11

12.0 acres MH<sub>2</sub> NE<sub>2</sub> 4.0 acres NE<sub>2</sub> NH<sub>2</sub> Section 13

2.5 acres NE<sub>4</sub> NE<sub>4</sub> Section 18 T. 4 S., R. 12 E., W. M.

10.0 acres fills SEs 10.0 acres fills SEs 10.0 acres SEs SEs SEs Section 6

14.2 acres ME% NE% 26.8 acres ME% NW% Section 7

10.0 acres MM<sub>4</sub> MM<sub>4</sub> 5.0 acres SE<sub>4</sub> MM<sub>4</sub> Section 8 T. 4 S., R. 13 E., W. M.

#### SUPPLEMENTAL-BADGER LAKE RESERVOIR

4.00 acres SNA SNA 14.14 acres SEA SEA Section 33

Section 33 T. 3 S., R. 12 E., W. M.

10.38 acres SE% SE% Section 2

8.00 acres NW: NE: Section 12 T. 4 S., R. 11 E., W. M.

15.00 acres SNB; NEI; 11.52 acres SNB; NMI; 15.00 acres SEI; NMI; .5.35 acres NMI; SEI; 28.00 acres SNB; SEI; 31.00 acres SEI; SEI; Section 1

25.80 acres SW: NW: 14.14 acres SE: SW: 20.76 acres NE: SE: Section 2

T:9990

5.00 acres NN NEW NEW 27.26 acres SNN NEW 15.00 acres NEW NNW

4.00 acres SNI<sub>4</sub> NNI<sub>4</sub> T-43/3 A POV \*//
18.14 acres NE<sub>4</sub> SE<sub>4</sub>
6.00 acres NNI<sub>4</sub> SE<sub>5</sub>

7.00 acres SE% SE% Section 3

11.72 acres SE% NM% Section 4

13.00 acres NE% NE% 10.38 acres SE% NA% Section 5

7.00 acres SW4 HM4 2.00 acres SE4 HM4 8.95 acres NE4 SW4 16.22 acres SE4 SE4 Section 7

8.00 acres SW4 SW4
12.45 acres NW4 SE4
Section 8

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AUG 0 5 2005

WATER RESOURCES DEPT

4.00 acres NM% NW% 7.00 acres SW% SE% 6.50 acres SE% SE% Section 9
5.33 acres SW% NE% 7.00 acres NE% SE% 10.00 acres NE% SE% Section 10
17.00 acres NE% NE% 10.00 acres NE% SNE% 3.00 acres SNE% SNE% Section 11
15.10 acres SNA NEW 14.76 acres NAW NAW 6.00 acres SNA NAW 7.50 acres SEW NEW 2.50 acres NEW SEW Section 12
8.00 acres NHs NEs 4.00 acres NEs NHs Section 13

7.26 acres NM NMBs Section 15	
1.70 acres ME% ME% Section 18 T. 4 S., R. 12 E., W.	H.
11.00 acres SMs SMs 3.00 acres SEs SMs Section 5	
10.00 acres NE4 SE4 10.00 acres NM4 SE4 20.00 acres SE4 SE4 Section 6	
9.40 acres NE% NE% 26.80 acres NE% NA% Section 7	
20.00 acres NH4 NH4 4.00 acres SE4 NH4 28.66 acres SH4 NE4 Section 8	
- 4 44 - 11	

T. 4 S., R. 13 E., W. M.

This certificate is issued to confirm a change in place of use as well as to describe that portion of the water right confirmed by the prior certificate recorded on page 20243, Volume 15, State Record of Nater Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 7, 1969, approving transfer application No. D-136.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

The right to the use of the water for the purposes aforesoid is restricted to the leads or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date.

September 15, 1978

Recorded in State Record of Water Right Certificates, Volume 39 , page 46532

#### 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:

SW4 NE4, SECTION 32, T 3 S, R 11 E, WM; HIGHLAND DITCH - N 65° 21' W, 1938.2 FEET FROM THE E4 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:

SW4 SE4 4.50 ACRES SE4 SE4 16.50 ACRES

TOWNSHIP 3 SOUTH RANGE 12 EAST, W.M.

RECEIVE

AUG 0 5 200

WATER RESOURCES DI SALEM, OREGON

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

Certificate Number 80637

T.9990

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Page Two
```

```
NEW NEW
             0.30 ACRE
NW4 NE4
             8.90 ACRES
SW4 NE4
             6.00 ACRES
      SECTION 12
```

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

SE'4 NE'4 8.90 ACRES SW4 NW4 7.65 ACRES 0.05 ACRE NEW SEW NW4 SE4 5.70 ACRES SW4 SE4 8.00 ACRES 1.20 ACRES SE' SE'

SECTION 1

0.25 ACRE SE'4 NE'4 27.30 ACRES SE'4 NW4 NEW SWW 8.40 ACRES SW4 SW4 3.60 ACRES NE' SE' 13.10 ACRES SECTION 2

SW4 NE4 10.50 ACRES 16.00 ACRES NEW SEW SE4 SE4 2.00 ACRES

SECTION 3

NEW NEW 13.50 ACRES NW4 NE4 3.50 ACRES SECTION 5

3.50 ACRES NW4 NW4 7.20 ACRES SW4 NW4 SEN NWW 2.30 ACRES NEW SWW 12.00 ACRES SECTION 7

SEM SWM 2.80 ACRES NEW SEW 2.00 ACRES SECTION 8

8.00 ACRES NEW NWW SECTION 9

NW4 NE4 1.60 ACRES NEW NWW 7.90 ACRES NW4 NW4 4.20 ACRES NW4 SW4 10.10 ACRES SW4 SW4 7.50 ACRES

SECTION 11

T-5606.SB

Certificate Number 80637

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13.00 ACRES NW4 NE4 SW4 NE4 4.20 ACRES NW4 NW4 18.00 ACRES SW4 NW4 5.50 ACRES SECTION 12

NE'4 NW4 4.00 ACRES 12.50 ACRES NW4 NW4 SECTION 15

2.00 ACRES NW4 SW4 SECTION 16

NE' NW 4.20 ACRES 11.00 ACRES NEW SEW SECTION 17

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

SW4 SW4 11.20 ACRES 3.00 ACRES SE4 SW4 SECTION 5

4.60 ACRES SW4 NW4 4.00 ACRES NEW SWW NW4 SW4 4.60 ACRES 1.80 ACRES SW4 SE4 8.30 ACRES SE4 SE4 SECTION 6

NE' NE' 3.00 ACRES 11.00 ACRES SE4 NE4 SECTION 7

NW4 SW4 3.50 ACRES SW SW4 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.

T-5606A.SB

1.9990

Certificate Number 80637

AUG 0 5 2005

Page Four

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 Cleary, Director Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

T-5606A.SB

T.9990

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#### 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 a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 982.8 ACRES.

This right was perfected under Permit 22633. The date of priority is APRIL 12, 1941 for 11.96 cfs, and MARCH 20, 1951 for 12.61 cfs. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 24.57 CUBIC FOOT 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% SW%, SECTION 16, T 3 S, R 10 E, WM, and NE% SW%, SECTION 29, T 3 S, R 11 E, WM.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773.

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:

NEX	NE%	0.5	ACRE	N Si N	1× 1	NE%	8.0	ACRES
	S	ECTION 12		S	3% I	NEX	17.0	<b>ACRES</b>
T	OWNS	HIP 4 SOU	JTH,	N	34	NW1	18.0	ACRES
RA	NGE	11 EAST,	W.M.	N	PK 1	NW1	13.2	ACRES
				N	FX :	SEX	10.0	ACRES
NW1	NE%	16.2	ACRES	S	FK 1	NE%	14.8	ACRES
		19.0		SI	1 ×	SEX	16.9	ACRES
NEX	NWX	0.6	ACRE			S	ECTION 3	
		1.2						
		22.0		N	E% 1	NEX	5.4	ACRES
SEX	SWX	19.6	ACRES				25.4	
NEX	SEX	10.0	ACRES				6.0	
NWX	SEX	19.4	ACRES				7.8	
	S	ECTION 1					ECTION 4	
SEX	NE%	1.0	ACRE	N	1 N	WW.	1.9	ACRES
NEX	SWX	7.0	ACRES				0.2	
NWX	SWX	13.3	ACRES				2.9	
SWX	SWX	21.9	ACRES				1.3	
NEX	SEX	0.6	ACRES				3.6	
SWX	SEX	1.5	ACRES				2.9	
SEX	SEX	29.4	ACRES				13.2	
	S	ECTION 2					3.8	
							ECTION 5	
						-		

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This certificate describes that portion of the water right confirmed by Certificate 46531, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 27, 1979, approving Transfer 4312, and entered 1970 paper 1970

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

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.

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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.

WITNESS the signature of the Water Resources

Director, affixed \_\_\_\_\_\_\_ JUN 041999 .

/S/ Tom Paul (frr)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76222.

T-8215.LHN

T.9990

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AUG 0 5 2005

#### 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 a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 1488.5 ACRES and SUPPLEMENTAL IRRIGATION of 406.04 ACRES.

This right was perfected under Permit 27390. The date of priority is MACH 22, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 19.72 CUBIC FOOT PER SECOND, from direct flow, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

NEW SWW, SECTION 29, T 3 S, R 11 E, WM; BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER, SECTION 29; and

SW% SW%, SECTION 16, T 3 S, R 10 E, WM; BADGER LAKE - 400 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER, SECTION 16.

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-FORTIETH of one cubic foot per second 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 for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-773 and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amound secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein.

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:

#### PRIMARY

NEX	NEX	2.60	ACRES	NEX	NWX	2.00	ACRES
SWX	NEX	3.60	ACRES	NWX	NWX	12.40	ACRES
SEX	NEX	19.10	ACRES	SWX	NW1	1.60	ACRES
NEX	NWX	8.80	ACRES	SEX	NWX	7.10	ACRES
SEX	NWX	0.20	ACRE	NE%	SWX	23.70	ACRES
NEX	SW1/4	21.90	ACRES	NWX	SWX	13.90	ACRES
NWX	SWX	8.00	ACRES	NEX	SEX	8.80	ACRES
SWX	SWX	0.50	ACRE	NWX	SEX	38.90	ACRES
SEX	SWX	5.20	ACRES	SWX	SEX	12.20	ACRES
NE%	SEX	29.35	ACRES	SEX	SEX	9.20	ACRES
NWX	SEX	12.80	ACRES		SE	ECTION 2	
SWX	SEX	11.60	ACRES				
SEX	SEX	8.80	ACRES				

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SECTION 1

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BTETL /	BITTEL!	0 40	ACDEC	MEL	NEV	26 20	ACRES
TAM M	MESA	3.40	ACRES	Ment	141374	20.20	ACRES
SWX	NEX	8.30	ACRES	NA%	NEX	16.80	ACKES
SEY	NEW	11.20	ACRES	NE%	NWX	13.60	ACRES
SEA	TATO Ve	5 10	ACDEC	ATTATI /	BITATI /	2 00	ACDEC
NEX	NMX	5.10	ACRES	TAM-20	TAM-20	3.00	MCRES
NWY	NWY	10.00	ACRES		SE	CTION 13	
ATT71/	CEL	12 60	ACREC				
NEX	SE%	12.00	ACRES				20000
NWX	SEX	11.80	ACRES	NE%	NEX	12.40	ACRES
CM1/	CPI	2 90	ACDES		SE	TTION 14	
SWA	SEA	2.50	ACRES		02	011041 11	
SEX	SEX	4.90	ACRES				
	SECT	LOM 3		NEX	NWY	4.80	ACRES
	DECI.	LOI		N77-77 /	BTT-TI	14 20	ACDEC
				TAM-M	TAM-20	14.30	ACKES
NEX	NEW	9.00	ACRES		SE	CTION 15	
ATTATA (	37721/	1 00	ACREC				
NW%	NE%	1.00	ACRES				
NE1/	NW1/4	8.30	ACRES	NE¼	NE%	20.80	ACRES
CMI/	NITUTAL/	7 90	ACDES	NWY	NEY	4.70	ACRES
SHA	TAMA	7.50	ACKED	27771/	ATT-TI	1 00	ACDEC
SEX	NW*	5.20	ACRES	NEX	IAM 26	1.00	ACKES
SEY	SWY	2.60	ACRES		SE	CTION 16	
CLA	OH CHI	TON 4					
	SECT	LON 4					
				NW%	NEX	1.40	ACRES
MWL/	NIMI	9 85	ACRES	NEY	NWY	3.20	ACRES
TAMA	MANA	7.03	ACTO	NTI-TI-	BTTATI	E 00	ACDEC
SWX	SEX	7.20	ACRES	TA M-20	TAM M	5.00	ACRES
SEY	SEV	9.80	ACRES		SE	CTION 17	
SEA	DEM	7.00					
	SECT.	LON /	ACRES ACRES ACRES				
				NEX	NEX	3.80	ACRES
ATT31/	OT-TI	7 60	ACDEC	NWL	NEV	2.05	ACRES
NEX	SWA	7.60	ACRES	Trin V	1127	OTT - 10	
NWX	SWX	6.80	ACRES		SE	CLION 18	
CW1/	CMI	20 20	ACRES	T	OWNSH	IIP 4 SOUT	H,
SHA	SWA	20.20	ACRES	77.7	NCE 1	2 PACT W	M
SEX	SWX	13.00	ACRES	KA	TAGE T	Z EASI, W	. 14 .
NEW	SEY	12.00	ACRES				
CIATI /	CEL	10 70	ACDEC	MEY	CWI	1 40	ACRES
SWX	SEX	10.70	ACRES	TATE A	STILL	10.00	ACDEC
SEX	SEX	0.50	ACRES	NW%	SWX	12.80	ACRES
	CECT.	TON 8		SWY	SWY	28.40	ACRES
	SEC1.	TOIL O		CEL	CIAI/	24 70	ACDEC
				SEX	SWA	24.70	ACRES
NEW	SWY	39.10	ACRES	NWX	SEX	1.80	ACRES
NEX	SWX	39.10	ACRES .	NW.	SEX	1.80	ACRES
NE%	SW%	39.10 1.65	ACRES ACRES	NWX SWX	SE%	1.80 3.80	ACRES
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ATT21/	NTCTI /	7 70	ACRES	MTC1/	CWI/	7 00	ACDEC	
NE%	NW%	17.70	ACRES	1412-76	SWA	7.00	ACRES	
NWX	NW%	5.50	ACRES	NMX	SWX	9.80	ACRES	
SWX	NW¥ :	10.80	ACRES	SW1	SW*	1.90	ACRES	
SEX	NWX	3.60	ACRES	SEX	SWX	1.70	ACRES	
NEV	SWY	7 60	ACRES	NEW	SE¥	4.80	ACRES	
CPL	CMI/	0 30	ACPE	NWL	SEV	16 40	ACRES	
NEW Y	OHA.	4 00	ACDEC	2007	CECT	TON 9		
NEX	SE%	34.00	ACRES	_	SECI.	LON 9		
NWX	SE%	20.00	ACRES	1	OWNSHIP	4 5001	н,	
SWX	SEX	9.20	ACRES	RA	INGE 13 I	EAST, W	.M.	
	SECTIO	N 8						
				SW\ SE\	SWX	3.60	ACRES	
			•	SEW	SWY	0.20	ACRE	
				DDA	CEC-TIT	ON 24		
			•		DECIL	2 001111	77.7	
			•		SECTI COWNSHIP NGE 12	3 5001	п,	
				RA	INGE 12	SAST, W	.M.	
			SUPPLEMENTAL	- RESERVOI	R			
						40.00	3 00000	
SEX	NE%	11.90	ACRES	NW.	NE%	12.30	ACRES	
SWX	NW\	10.58	ACRES	SEX	NE%	1.00	ACRE	
NEY	SWY	0.90	ACRE	NEX	NW*	6.00	ACRES	
ME1/	CEM	0 05	ACRE	NWY	N₩¥	3.24	ACRES	
NE7	ODI/	0.05	ACRE	TAN M	NTW1/	1 20	ACDEC	
NW%	SEX	0.45	ACKE	SM%	7414.20	1.30	ACRES	
SWX	SEX	0.30	ACRE	SEX	NA%	2.80	ACKES	
SEX	SEX	0.20	ACRES ACRE ACRE ACRE ACRE ACRE ACRE ACRE		SECTI	ON 12		
	SECTIO	ON 1						
			ACRES ACRES ACRES ACRES ACRES	NW*	NE%	4.00	ACRES	
SWY	NW¥	8.20	ACRES	NW-	NW14	14.00	ACRES	
CP1/	NIWIZ '	27 20	ACRES		SECTI	ON 13		
ATTY (	CMI/	0 40	ACDEC			4		
NEX	SW%	8.40	ACKES		ATTATE /	4 00	ACDEC	
SWX	SW1	3.60	ACRES	NE%	NA%	4.00	ACKES	
NEX	SEX	9.24	ACRES	NWX	NWX	5.24	ACRES	
	SECTIO	ON 2			SECTI	ON 15		
CMI	MEM	2 90	ACRES	NEV	NW¥	4.20	ACRES	
SHA	MEN	2.50	ACRES	1417	CECTI	ON 17		
SEX	NE%	8.00	ACRES		SECII	ON I		
NEX	NW%	0.70	ACRE					
NEX	SEX	5.86	ACRES	NEX	NE%	0.80	ACRE	
	SECTIO	ON 3			SECTI	ON 18		
				7	COWNSHIP	4 SOUT	Ή,	
CMI	NWY	2.50	ACRES	RZ	NGE 12	EAST. W	.M.	
CELY.	TAMAN.	0.00	N CD DC	A.	_,			
3E%	WWX	0.28	ACRES	CALLS !	CWI /	0.00	ACDE	
	SECTIO	N 4	ACRES ACRES ACRES ACRES ACRES ACRES ACRES	SW%	SECAL.	ION 5	ACRE	
CP1/	NWI	4 62	ACRES		SECT	1014 3		
7578	SECOPTO	7.02	ACRES ACRES	SMI	NWY	4.60	ACRES	
	SECIIC	) II		PLEAT.	CM1/	4 00	ACDEC	
				NEX	SW74	4.00	ACRES	
NWX	NW\	3.50	ACRES	NW.	SWX	4.60	ACRES	
SEX	SEX	3.78	ACRES	SW*	SEX	1.80	ACRES	
	SECTIO	ON 7		SEX	SEX	4.30	ACRES	
					SECT	ION 6		
SEY	SWX	2.80	ACRES					
04,4	SECTIO	NI B		NEY	NEY	9 80	ACRES	
	CECTIC			NIET /	NEW	10 00	ACDEC	
	am.	0 00	1 CDT	NW%	NE% NE% NW%	1 00	CARDA	
NEX	SEX	0.30	ACRE	SW%	IAM.24	1.00	ACRES	
WWX	SEX	0.60	ACRE		SECT	ION 7		
	SECTIO	N 10						
				SWX	NE% NE% NW%	23.00	ACRES	
¥WI	NE%	1.60	ACRES	SE¥	NE%	26.60	ACRES	
MEN	NWI	0.90	ACRE	MMT	NWY	10 50	ACRES	
ATWIT!	NTWIL/	4 20	ACDEC	7444.74	SECT	TON 0		
NAL X	1417/4	4.20	ACRES		SECT.	TON 0		
WW/	SW%	0.10	ACRE			_		
SWX	SWX	4.50	ACRES	N₩¥	SW% SW%	3.50	ACRES	
SEX	NWX NWX SWX SWX	6.00	ACRES	SW*	SWX	1.10	ACRES	
	SECTIO	N 11			SECT	ION 9		
				7	OWNSHIP	4 SOUT	H.	
					NGE 13			
				I.C.	ו כו שטייי	- L	. 4.4 .	

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#### SUPPLEMENTAL - STREAM AND RESERVOIR

SWX	SEX 1		ACRE	SE	SECT:	21.40 ION 12	ACRES
SEX	NE% 6	.60	ACRES	NE	NWW SECT: TOWNSHIP	ION 13	
	SECTION			. 1	RANGE 12	EAST, W	M.
	NE% 5						
NWX	NW% 6	5.20	ACRES	•			
NWX	SW% 13	3.50	ACRES				
SEX	SW% 4		ACRES				

This certificate describes that portion of the water right confirmed by Certificate 46368, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 29, 1979, approving Transfer 4314, entered April 22, 1981, approving Transfer 4704, entered January 19, 1982, approving Transfer 4800, entered June 14, 1985, approving Transfer 5551, entered June 14, 1985, approving Transfer 5553, and entered June 14, 1985, approving Transfer Application 8215.

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.

WITNESS the signature of the Water Resources Director,

affived	JUN 04 1999	
attived	A 414 A 2 1000	

/S/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76223.

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COUNTY OF

WASCO

#### CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC. & DEPARTMENT OF FISH & WILDLIFE

of Route 1, Box 27, Tygh Valley , State of Oregon 97063 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Badger Creek and Pine Hollow Reservoir constructed under Permit R-5250

a tributary of White River for the purpose of irrigation of 0.6 acre, supplemental irrigation of 3,434.9 acres and recreation

under Permit No. 33228 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 23, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only for irrigation and 15.0 cubic feet per second from Badger Creek for recreation

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the  $$\rm NE\ 1/4\ SW\ 1/4\ ,$  Section 29, T3S, R1E, WM; Badger Creek - 1,290 feet South and 550 feet West from C 1/4 Corner, Section 29; NE 1/4 NW 1/4, Section 10, T4S, R12E, WM; Pine Hollow Reservoir - 700 feet South and 1,930 feet East from NW Corner, Section 10

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

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

\*lands use water diverted for the lower lands entitled thereto and replace it in a like amount from the reservoir authorized under Permit R-5250.

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page two

Acres of land to receive benefit by	a 17.2 acres NE 1/4 NW 1/4	
water exchange	a 17.2 acres NE 1/4 NW 1/4 24.8 acres NW 1/4 NW 1/4	
	Section 15	
0.8 acre NE 1/4 NE 1/4		
6.0 acres NW 1/4 NE 1/4	30.8 acres NE 1/4 NE 1/4	
Section 12	32.0 acres NW 1/4 NE 1/4	
Township 4 South, Range 11 East,	30.8 acres NE 1/4 NE 1/4 32.0 acres NW 1/4 NE 1/4 WM 1.0 acre NE 1/4 NW 1/4 Section 16	
	Section 16	
22.4 acres NW 1/4 NE 1/4		
38.8 acres SW 1/4 NE 1/4	6.4 acres NW 1/4 NE 1/4	
38.8 acres NE 1/4 NW 1/4	7.4 acres NE 1/4 NW 1/4	*
23.2 acres NW 1/4 NW 1/4	12.0 acres NW 1/4 NW 1/4	
Section 3	6.4 acres NW 1/4 NE 1/4 7.4 acres NE 1/4 NW 1/4 12.0 acres NW 1/4 NW 1/4 Section 17	
14 4 NE 144 NE 144	14 9 comes NE 1/4 NE 1/4	
14.4 acres NE 1/4 NE 1/4	14.8 acres No. 1/4 No. 1/4	
26.4 acres NW 1/4 NE 1/4	2.0 dures NW 1/4 NC 1/4	
10 / scree SW 1/4 NW 1/4	Township & South Range 12 Fast	WM
25 2 acres SF 1/4 NW 1/4	township 4 300cm, range in ease,	7,11
11.7 acres SW 1/4 SW 1/4	14.8 acres NE 1/4 NE 1/4 2.8 acres NW 1/4 NE 1/4 Section 18 Township 4 South, Range 12 East, 4.0 acres SW 1/4 SW 1/4	
10.4 acres SE 1/4 SW 1/4	4.0 acres SW 1/4 SW 1/4	
Section 4	4.5 acres SW 1/4 SE 1/4	
	7.9 acres SE 1/4 SE 1/4	
10.8 acres NE 1/4 NE 1/4	Section 33	
3.4 acres NW 1/4 NE 1/4	4.0 acres SW 1/4 SW 1/4 4.5 acres SW 1/4 SE 1/4 7.9 acres SE 1/4 SE 1/4 Section 33  3.6 acres SW 1/4 SW 1/4 0.2 acre SE 1/4 SW 1/4 Section 34 Township 3 South, Range 12 East,	*
1.9 acres NE 1/4 NW 1/4	3.6 acres SW 1/4 SW 1/4	
0.2 acre NW 1/4 NW 1/4	0.2 acre SE 1/4 SW 1/4	
2.9 acre SW 1/4 NW 1/4	Section 34	
16.3 acres SE 1/4 NW 1/4	Township 3 South, Range 12 East,	WM;
3.6 acres NE 1/4 SW 1/4		
2.9 acres NW 1/4 SW 1/4	Acres of land direct from Pine	Hollow
13.2 acres SW 1/4 SW 1/4	Reservoir	,
3.8 acres SE 1/4 SW 1/4	2.6 acres NE 1/4 NE 1/4	
Section 5	16.2 acres NW 1/4 NE 1/4	
71 OF series ANV 1/4 ANV 1/4	Acres of land direct from Pine Reservoir  2.6 acres NE 1/4 NE 1/4 16.2 acres NW 1/4 NE 1/4 37.6 acres SW 1/4 NE 1/4 31.0 acres SE 1/4 NE 1/4 9.4 acres NE 1/4 NW 1/4 14.7 acres SW 1/4 NW 1/4 22.8 acres NE 1/4 NW 1/4 8.0 acres NE 1/4 SW 1/4 0.5 acre SW 1/4 SW 1/4 24.8 acres SE 1/4 SW 1/4 37.6 acres NW 1/4 SE 1/4 37.6 acres NW 1/4 SE 1/4	
31.U3 acres NW 1/4 NW 1/4	9 4 sores NF 1/4 NW 1/4	
10.4 acres SF 1/4 NW 1/4	14 7 acres SW 1/4 NW 1/4	
12.0 ocres NE 1/4 SW 1/4	37.2 acres SF 1/4 NW 1/4	
13.9 acres NF 1/4 SF 1/4	22.8 acres NE 1/4 SW 1/4	
7.1 acres NW 1/4 SE 1/4	8.0 acres NW 1/4 SW 1/4	
7.2 acres SW 1/4 SE 1/4	0.5 acre SW 1/4 SW 1/4	
38.8 acres SE 1/4 SE 1/4	24.8 acres SE 1/4 SW 1/4	
Section 7	39.4 acres NE 1/4 SE 1/4	
	37.6 acres NW 1/4 SE 1/4	
16.4 acres NE 1/4 SW 1/4	37.6 acres NW 1/4 SE 1/4 39.6 acres SW 1/4 SE 1/4 40.0 acres SE 1/4 SE 1/4	
15.2 acres NW 1/4 SW 1/4	40.0 acres SE 1/4 SE 1/4	
30.2 acres 3m 1/4 3m 1/4	Section 1	
19.8 acres SE 1/4 SW 1/4		
32.0 acres NE 1/4 SE 1/4	1.0 acre SE 1/4 NE 1/4	
24.8 acres NW 1/4 SE 1/4	2.0 acres NE 1/4 NW 1/4	
15.7 acres SW 1/4 SE 1/4	12.4 acres NW 1/4 NW 1/4 35.6 acres SW 1/4 NW 1/4	
0.5 acre SE 1/4 SE 1/4 Section 8	34.4 acres SE 1/4 NW 1/4	
Section 9	39.1 acres NE 1/4 SW 1/4	!
23.7 acres SW 1/4 NE 1/4	27.2 acres Nw 1/4 Sw 1/4	
35.5 acres NE 1/4 NW 1/4	25.5 acres SW 1/4 SW 1/4	
30.5 acres NW 1/4 NW 1/4	17.2 acres SE 1/4 SW 1/4	
8.2 acres SW 1/4 NW 1/4	39.4 acres NE 1/4 SE 1/4	
15.1 acres SE 1/4 NW 1/4	38.9 acres NW 1/4 SE 1/4	
39.1 acres NE 1/4 SW 1/4	13.7 acres SW 1/4 SE 1/4	f
24.4 acres NW 1/4 SW 1/4	38.6 acres SE 1/4 SE 1/4	1
34.7 acres NW 1/4 SE 1/4	Section 2	•
34.8 acres SW 1/4 SE 1/4		į
35.2 acres SE 1/4 SE 1/4	36.2 acres SE 1/4 NE 1/4	į.
Section 9	36.6 acres NE 1/4 SE 1/4	į
	27.8 acres NW 1/4 SE 1/4	i
39.7 acres SW 1/4 NE 1/4	8.8 acres SW 1/4 SE 1/4	
20.2 acres SE 1/4 NE 1/4	28.8 acres SE 1/4 SE 1/4	
40.6 acres NE 1/4 SE 1/4	Section 3	PEOI
40.6 acres NW 1/4 SE 1/4		ITEU
Section 10	. 18.2 acres NE 1/4 NE 1/4	1
	3.2 acres NW 1/4 NE 1/4	AUG 0
	Section 10	AUI: 11

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Section 10

NW 1/4 NE 1/4 17.8 acres NE 1/4 NE 1/4 N 1/2 NW 1/4 23.4 acres NW 1/4 NE 1/4 Section 10 2.8 acres SW 1/4 NE 1/4 Township 4 South, Range 12 East, WM 26.8 acres SE 1/4 NE 1/4 37.6 acres NE 1/4 NW 1/4 12.4 acres NE 1/4 NE 1/4 14.4 acres NW 1/4 NW 1/4 Section 14 21.2 acres SW 1/4 NW 1/4 19.0 acres SE 1/4 NW 1/4 Township 4 South, Range-12 East, WM-31.6 acres NE 1/4 SW 1/4 40.6 acres NW 1/4 SW 1/4 9.2 acres SW 1/4 NW 1/4 24.0 acres SW 1/4 SW 1/4 1.7 acres SE 1/4 NW 1/4 34.5 acres NE 1/4 SW 1/4 22.8 acres SE 1/4 SW 1/4 37.9 acres NW 1/4 SW 1/4 18.8 acres NE 1/4 SE 1/4 38.0 acres SW 1/4 SW 1/4 17.0 acres NW 1/4 SE 1/4 37.6 acres SE 1/4 SW 1/4 8.3 acres SW 1/4 SE 1/4 12.8 acres SE 1/4 SE 1/4 28.8 acres NE 1/4 SE 1/4 38.9 acres NW 1/4 SE 1/4 Section 11 40.0 acres SW 1/4 SE 1/4 39.2 acres SE 1/4 SE 1/4 38.5 acres NE 1/4 NE 1/4 36.0 acres NW 1/4 NE 1/4 Section 6 24.8 acres SW 1/4 NE 1/4 39.4 acres NE 1/4 NE 1/4 13.5 acres SE 1/4 NE 1/4 12.6 acres NE 1/4 NW 1/4 39.7 acres NW 1/4 NE 1/4 38.7 acres NW 1/4 NW 1/4 37.3 acres SW 1/4 NE 1/4 33.3 acres SE 1/4 NE 1/4 31.6 acres SW 1/4 NW 1/4 21.8 acres SE 1/4 NW 1/4 38.2 acres NE 1/4 NW 1/4 15.3 acres NW 1/4 SW 1/4 37.3 acres NW 1/4 NW 1/4 32.8 acres SW 1/4 SW 1/4 28.1 acres SW 1/4 NW 1/4 37.2 acres SE 1/4 SW 1/4 24.3 acres SE 1/4 NW 1/4 16.0 acres SW 1/4 SW 1/4 20.4 acres SW 1/4 SE 1/4 4.4 acres SE 1/4 SW 1/4 1.8 acres SE 1/4 SE 1/4 1.05 acres NW 1/4 SE 1/4 Section 12 Section 7 31.2 acres NE 1/4 NE 1/4 0.2 acre NW 1/4 NW 1/4 32.8 acres NW 1/4 NE 1/4 Section 18 37.6 acres NE 1/4 NW 1/4 Township 4 South, Range 13 East, WM 28.0 acres NW 1/4 NW 1/4 Section 13 Township 4 South, Range 12 East, WM PRIMARY IRRIGATION

> RECREATION S 1/2 NW 1/4 SW 1/4 SE 1/4 Section 3 SE 1/4 SE 1/4 S 1/2 NE 1/4 N 1/2 SE 1/4 Section 4

0.6 acres SE 1/4 NE 1/4 Section 12 Township 4 South, Range 12 East, WM

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AUG 0 5 2005

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

Under Exchange

0.9 acre NE 1/4 NW 1/4 0.1 acre NW 1/4 NW 1/4 Section 4 Township 4 South, Range 12 East, WM Direct from Reservoir

21.1 acres SE 1/4 NE 1/4
2.5 acres NE 1/4 SE 1/4
Section 12
Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4
Section 7
Township 4 South, Range 13 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affired

this date. February 24, 1983

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51486

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#### STATE OF OREGON

COUNTY OF

WASCO

#### CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PINE HOLLOW COOPERATIVE, INC.

of Route 1, Box 27, Tygh Valley , State of Oregon 97063, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Three Mile Creek and Pine Hollow Reservoir, constructed under Permit R-6368

a tributary of White River supplemental irrigation of 3,435.5 acres for the purpose of

under Permit No. 39616 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 1. 1975

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 3,550.0 acre-feet stored water only

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 NW 1/4, Section 11, T4S, R11E, WM; Three Mile Creek - 1,530 feet South and 4,580 feet West from NE Corner, Section 11

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

SEE NEXT PAGE

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WATER RESOURCES DEPT SALEM, OREGON

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page two 17.2 acres NE 1/4 NW 1/4 Acres of land to receive benefit by a 24.8 acres NW 1/4 NW 1/4 Section 15 30.8 acres NE 1/4 NE 1/4 32.0 acres NW 1/4 NE 1/4 1.0 acre NE 1/4 NW 1/4 Township 4 South, Range 11 East, WM Section 16 6.4 acres NW 1/4 NE 1/4 7.4 acres NE 1/4 NW 1/4 7.4 acres NE 1/4 NW 1/4 12.0 acres NW 1/4 NW 1/4 Section 17 14.8 acres NE 1/4 NE 1/4 2.8 acres NW 1/4 NE 1/4 Section 18 Township 4 South, Range 12 East, WM 4.0 acres SW 1/4 SW 1/4 4.5 acres SW 1/4 SE 1/4 7.9 acres SE 1/4 SE 1/4 Section 33 5.6 acres SW 1/4 SW 1/4 0.2 acre SE 1/4 SW 1/4 Section 34 Township 3 South, Range 12 East, WM; Acres of land direct from Pine Hollow Reservoir 2.6 acres NE 1/4 NE 1/4 16.2 acres NW 1/4 NE 1/4 37.6 acres SW 1/4 NE 1/4 31.0 acres SE 1/4 NE 1/4 9.4 acres NE 1/4 NW 1/4 9.4 acres NE 1/4 NW 1/4
14.7 acres SW 1/4 NW 1/4
37.2 acres SE 1/4 NW 1/4
22.8 acres NE 1/4 SW 1/4
8.0 acres NW 1/4 SW 1/4
0.5 acre SW 1/4 SW 1/4
24.8 acres SE 1/4 SW 1/4
39.4 acres NE 1/4 SE 1/4
37.6 acres SW 1/4 SE 1/4
39.6 acres SW 1/4 SE 1/4
40.0 acres SE 1/4 SE 1/4
Section 1 Section 1 1.0 acre SE 1/4 NE 1/4
2.0 acres NE 1/4 NW 1/4
12.4 acres NW 1/4 NW 1/4
35.6 acres SW 1/4 NW 1/4
34.4 acres SE 1/4 NW 1/4
39.1 acres NE 1/4 SW 1/4
27.2 acres NW 1/4 SW 1/4
17.2 acres SE 1/4 SW 1/4
17.2 acres SE 1/4 SW 1/4
39.4 acres NE 1/4 SE 1/4
38.9 acres NW 1/4 SE 1/4
38.6 acres SW 1/4 SE 1/4
Section 2 Section 2 36.2 acres SE 1/4 NE 1/4

14.3 acres NE 1/4 NW 1/4 10.4 acres SW 1/4 NW 1/4 25.2 acres SE 1/4 NW 1/4 11.7 acres SW 1/4 SW 1/4 10.4 acres SE 1/4 SW 1/4 Section 4 10.8 acres NE 1/4 NE 1/4 3.4 acres NW 1/4 NE 1/4 1.9 acres NE 1/4 NW 1/4 0.2 acre NW 1/4 NW 1/4 2.9 acre SW 1/4 NW 1/4 16.3 acres SE 1/4 NW 1/4 3.6 acres NE 1/4 SW 1/4 2.9 acres NW 1/4 SW 1/4 13.2 acres SW 1/4 SW 1/4 3.8 acres SE 1/4 SW 1/4 Section 5 31.05 acres NW 1/4 NW 1/4 10.4 acres SW 1/4 NW 1/4 1.4 acres SE 1/4 NW 1/4 12.0 acres NE 1/4 SW 1/4 13.9 acres NE 1/4 SE 1/4 7.1 acres NW 1/4 SE 1/4 7.2 acres SW 1/4 SE 1/4 38.8 acres SE 1/4 SE 1/4 Section 7 16.4 acres NE 1/4 SW 1/4 15.2 acres NW 1/4 SW 1/4 38.2 acres SW 1/4 SW 1/4 19.8 acres SE 1/4 SW 1/4 32.0 acres NE 1/4 SE 1/4 24.8 acres NW 1/4 SE 1/4 15.7 acres SW 1/4 SE 1/4 0.5 acre SE 1/4 SE 1/4 Section 8 23.7 acres SW 1/4 NE 1/4 35.5 acres NE 1/4 NW 1/4 30.5 acres NW 1/4 NW 1/4 8.2 acres SW 1/4 NW 1/4 15.1 acres SE 1/4 NW 1/4 39.1 acres NE 1/4 SW 1/4 24.4 acres NW 1/4 SW 1/4 34.7 acres NW 1/4 SE 1/4 34.8 acres SW 1/4 SE 1/4 35.2 acres SE 1/4 SE 1/4 Section 9 39.7 acres SW 1/4 NE 1/4 20.2 acres SE 1/4 NE 1/4 40.6 acres NE 1/4 SE 1/4 40.6 acres NW 1/4 SE 1/4 Section 10

water exchange

0.8 acre NE 1/4 NE 1/4

6.0 acres NW 1/4 NE 1/4 Section 12

22.4 acres NW 1/4 NE 1/4

38.8 acres SW 1/4 NE 1/4

38.8 acres NE 1/4 NW 1/4 23.2 acres NW 1/4 NW 1/4

14.4 acres NE 1/4 NE 1/4

26.4 acres NW 1/4 NE 1/4

Section 3

36.6 acres NE 1/4 SE 1/4 27.8 acres NW 1/4 SE 1/4 8.8 acres SW 1/4 SE 1/4 28.8 acres SE 1/4 SE 1/4 Section 3 18.2 acres NE 1/4 NE 1/4 3.2 acres NW 1/4 NE 1/4 Section 10

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17.8 acres NE 1/4 NE 1/4	12.4 acres NE 1/4 NE 1/4
23.4 acres NW 1/4 NE 1/4	Section 14
2.8 acres SW 1/4 NE 1/4	Township 4 South, Range 12 East, WM
26.8 acres SE 1/4 NE 1/4	
37.6 acres NE 1/4 NW 1/4	9.2 acres SW 1/4 NW 1/4
14.4 acres NW 1/4 NW 1/4	1.7 acres SE 1/4 NW 1/4
21.2 acres SW 1/4 NW 1/4	34.5 acres NE 1/4 SW 1/4
19.0 acres SE 1/4 NW 1/4	37.9 acres NW 1/4 SW 1/4
31.6 acres NE 1/4 SW 1/4	38.0 acres SW 1/4 SW 1/4
40.6 acres NW 1/4 SW 1/4	37.6 acres SE 1/4 SW 1/4
24.0 acres SW 1/4 SW 1/4	28.8 acres NE 1/4 SE 1/4
22.8 acres SE 1/4 SW 1/4	38.9 acres NW 1/4 SE 1/4
18.8 acres NE 1/4 SE 1/4	40.0 acres SW 1/4 SE 1/4
17.0 acres NW 1/4 SE 1/4	39.2 acres SE 1/4 SE 1/4
8.3 acres SW 1/4 SE 1/4	Section 6
12.8 acres SE 1/4 SE 1/4	
Section 11	39.4 acres NE 1/4 NE 1/4
	39.7 acres NW 1/4 NE 1/4
38.5 acres NE 1/4 NE 1/4	37.3 acres SW 1/4 NE 1/4
36.0 acres NW 1/4 NE 1/4	33.3 acres SE 1/4 NE 1/4
24.8 acres SW 1/4 NE 1/4	38.2 acres NE 1/4 NW 1/4
14.1 acres SE 1/4 NE 1/4	37.3 acres NW 1/4 NW 1/4
12.6 acres NE 1/4 NW 1/4	28.1 acres SW 1/4 NW 1/4
38.7 acres NW 1/4 NW 1/4	24.3 acres SE 1/4 NW 1/4
31.6 acres SW 1/4 NW 1/4	16.0 acres SW 1/4 SW 1/4
21.8 acres SE 1/4 NW 1/4	4.4 acres SE 1/4 SW 1/4
15.3 acres NW 1/4 SW 1/4	1.05 acres NW 1/4 SE 1/4
32.8 acres SW 1/4 SW 1/4	Section 7
37.2 acres SE 1/4 SW 1/4	
20.4 acres SW 1/4 SE 1/4	0.2 acre NW 1/4 NW 1/4
1.8 acres SE 1/4 SE 1/4	Section 18
Section 12	Township 4 South, Range 13 East, WM
•	,
31.2 acres NE 1/4 NE 1/4	
32.8 acres NW 1/4 NE 1/4	
37.6 acres NE 1/4 NW 1/4	
28.0 acres NW 1/4 NW 1/4	
Section 13	
**	

The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

#### Under Exchange

0.9 acre NE 1/4 NW 1/4
0.1 acre NW 1/4 NW 1/4
Section 4
Township 4 South, Range 12 East, WM

Direct from Reservoir

21.1 acres SE 1/4 NE 1/4
2.5 acres NE 1/4 SE 1/4
Section 12
Township 4 South, Range 12 East, WM

11.2 acres NW 1/4 SW 1/4
Section 7
Township 4 South, Range 13 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. February 24, 1983

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51487

9649A

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AUG 0 5 2005

WATER RESOURCES DEPT SALEM, OREGON

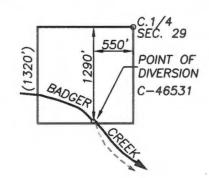
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TRANSFER CHECK OFF LIST	
TRANSFER FILE # 9990	
DATE RECEIVED 8-5-05	
DATE MONEY SLIPPED S-5-05	
The state of the s	
DATE RECEIPTED 8-3-03	
VALID WATER RIGHT? YesNo	,
TEMP ALT AC(Greg) IRR DIST(Greg) PERM AMEND(Kelly) DIV 15 (Bernie Assigns	i)
TEMP Div 15 (Bernie) ISWR COPIES TO LIAISON	
LETTER FROM ATTORNEYYES (PUT INFO ON FRONT COVER) $\times \times	
FOLDER FILLED OUT*	
INDEX CARD YES	
ENTERED IN DB	
F THE	
CONTENTS MARKED Yes	
COLOR CODED Yes	
4 COPIES MADE & STAMPED Yes	
CERTIFICATE MARKED Yes	
CERTIFICATE COPIED Yes	
PULL APPLICATIONS Yes	
APP FOLDER MARKED Yes	
FINAL PROOF MAP COPIED	
PERMIT MARKED	
PERMIT COPIED	
PERMIT MAP COPIED	
DECREE MARKED	
DBCREB COPIED	
ADJUDICATION MAP COPIED	
ENTRIES CHECKED CHECKED BY INIT FOLDER	
PUBLIC NOTICE DATE 8-16-05 (PREPARED & COPIED) VES	
LETTER SENT Yes Irrigation District Yes (copy of app & map)	
COPY TO WM	
BLUE FORM TO WM Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink	c his
COPY TO GW POA, APOA, or [SW TO GW ONLY(as POD)]	
BLUE FORM TO GW Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink	c his
COPY TO CWRE	
LETTER TO ODFW  ALL Surface water POU/USE (POD and APOD FISH SCREENS)	)
TRANSFER SENT TO: Ne Drawer SW NCR SCR ER	

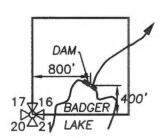
<sup>\*</sup>SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

## WASCO COUNTY, OREGON

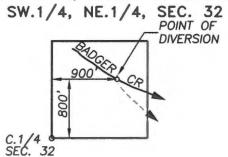
BADGER CREEK TWP. 3 S., RANGE 11 E. W.M. NE.1/4, SW.1/4, SEC. 29



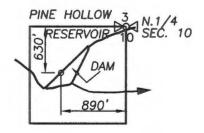
BADGER LAKE RESERVOIR TWP. 3 S., RANGE 10 E. W.M. SW.1/4, SW.1/4, SEC. 16



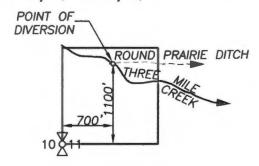
BADGER CREEK (SOUTH FORK BADGER CREEK) TWP. 3 S., RANGE 11 E. W.M.



PINE HOLLOW RESERVOIR TWP. 4 S., RANGE 12 E. W.M. NE.1/4, NW.1/4, SEC. 10



THREE MILE CREEK
TWP. 4 S., RANGE 11 E. W.M.
SW.1/4, NW.1/4, SEC. 11



# WATER RIGHT POINT OF DIVERSIONS

SCALE: 1"= 1320'

AUG 0 5 2005

WATER RESOURCES DEF SALEM, OREGON

PERMIT No.\_

IN THE NAME OF:

MCALLISTER RANCH

DATE: JULY 7, 2005

OF

EXPIRES: 06/30/06

TENNESON ENGINEERING CORP. CONSULTING ENGINEERS





#### NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.'

W.O. #11572wr2

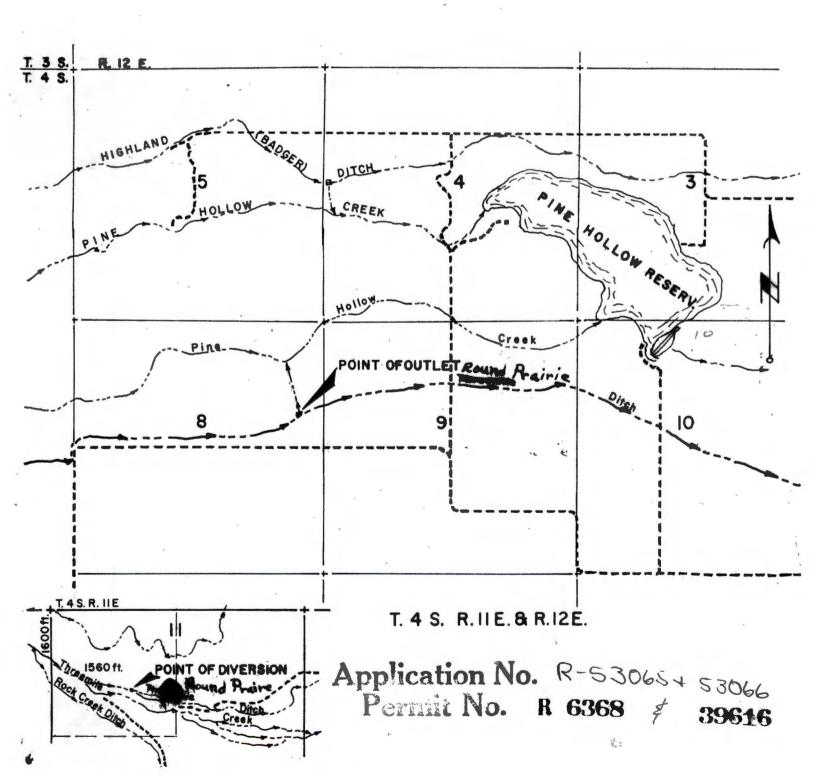
# PINE HOLLOW COOPERATIVE INC.

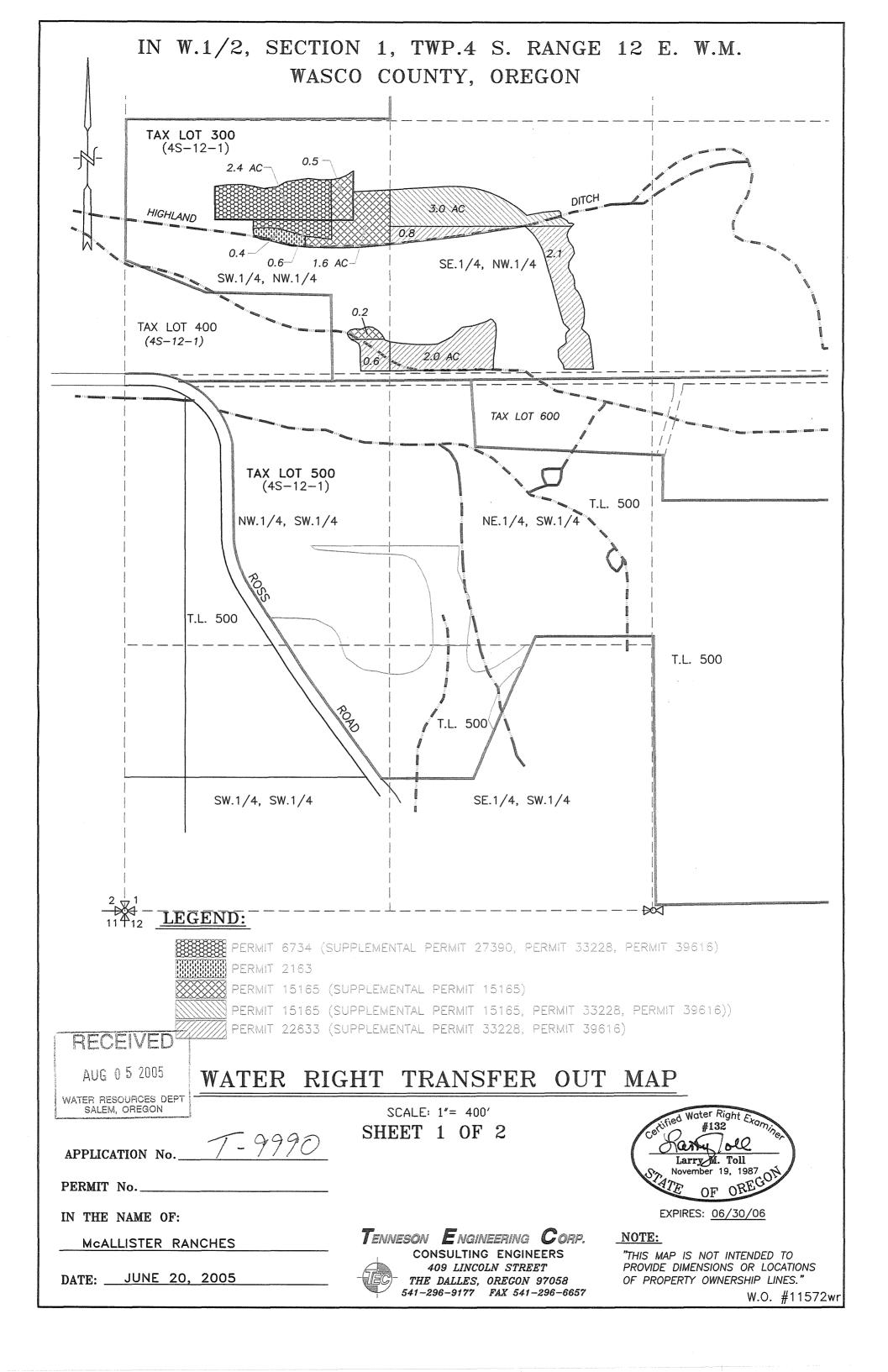
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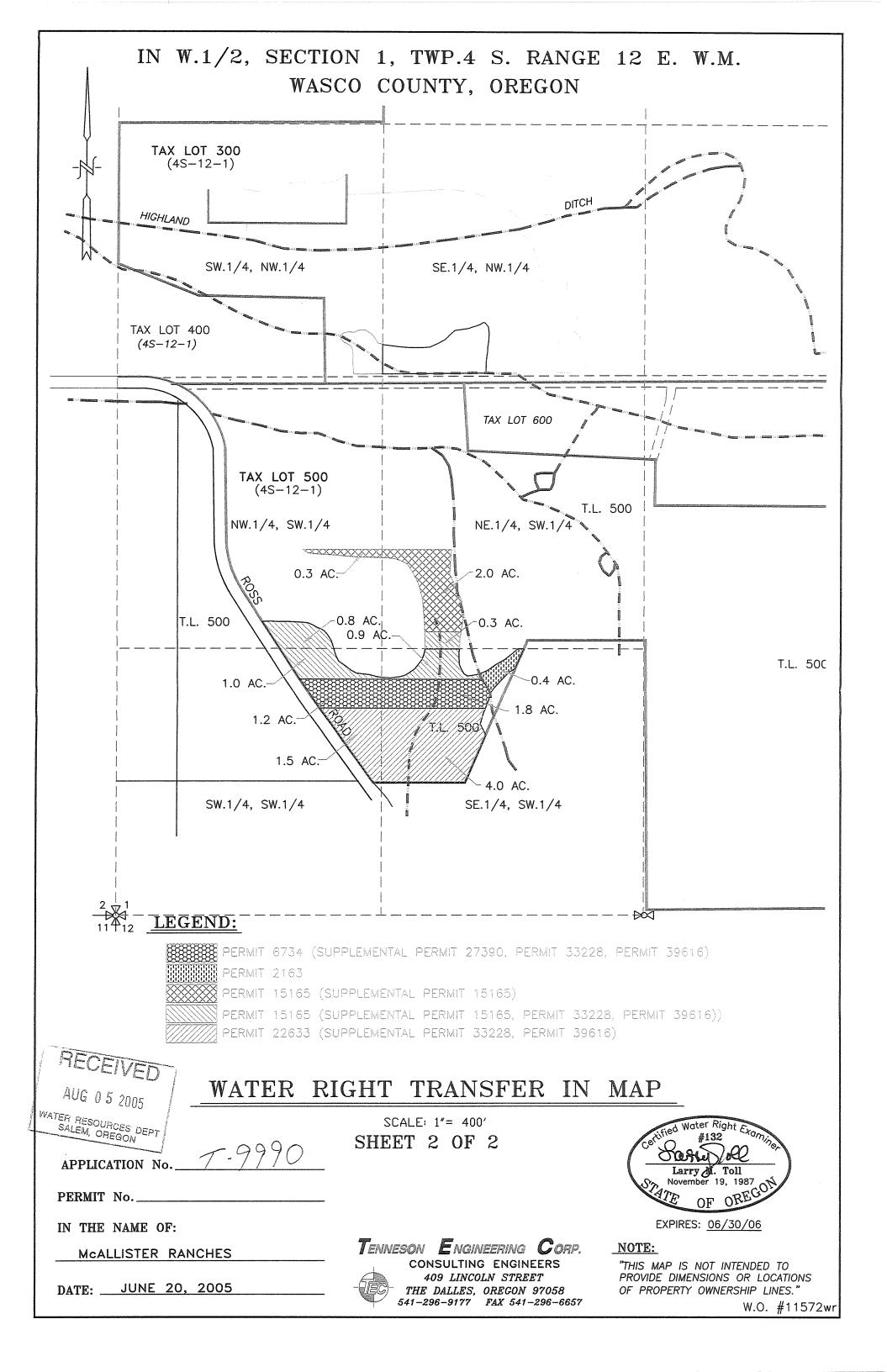
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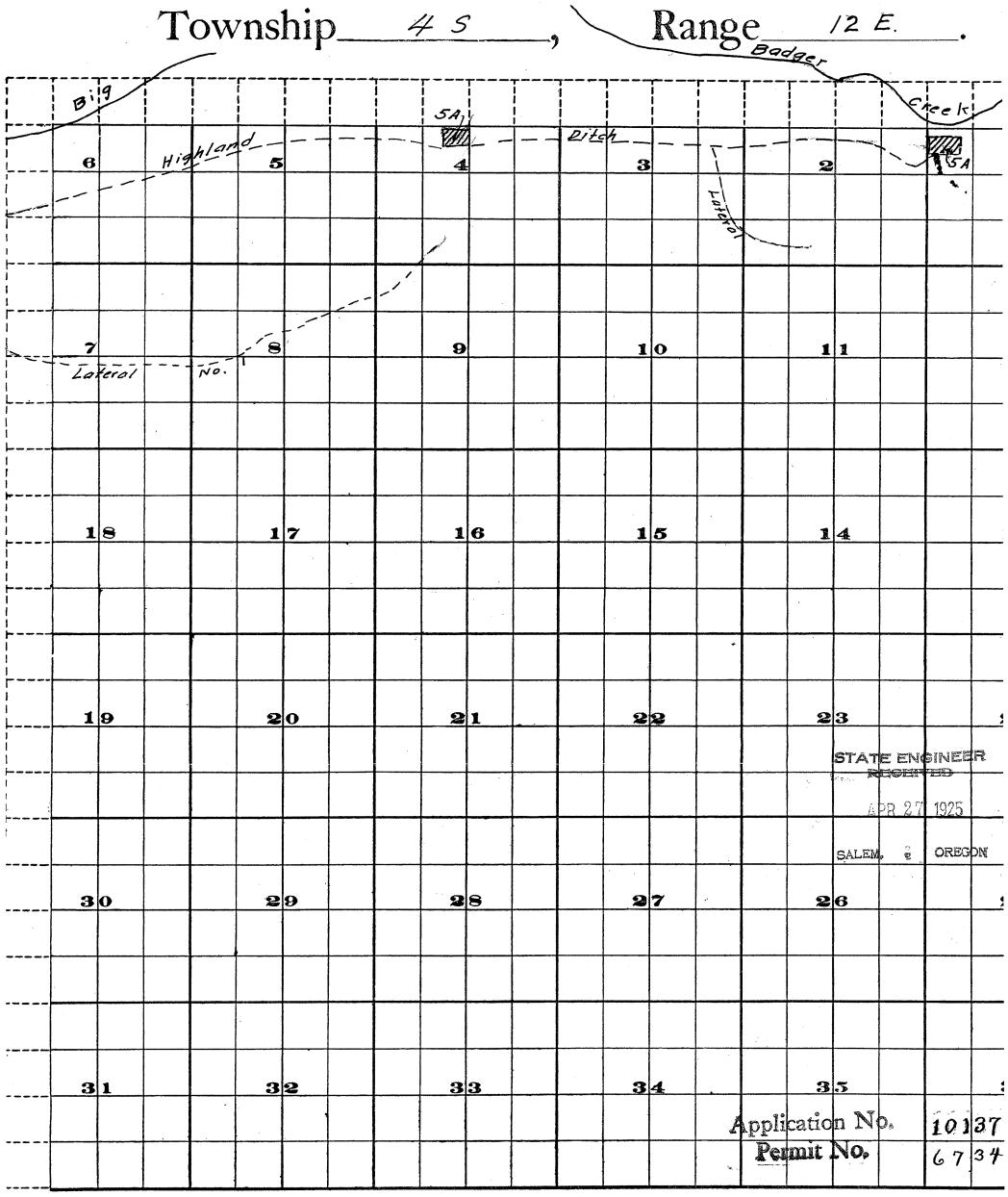
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STATE ENGINEER
SALEM, OREGON



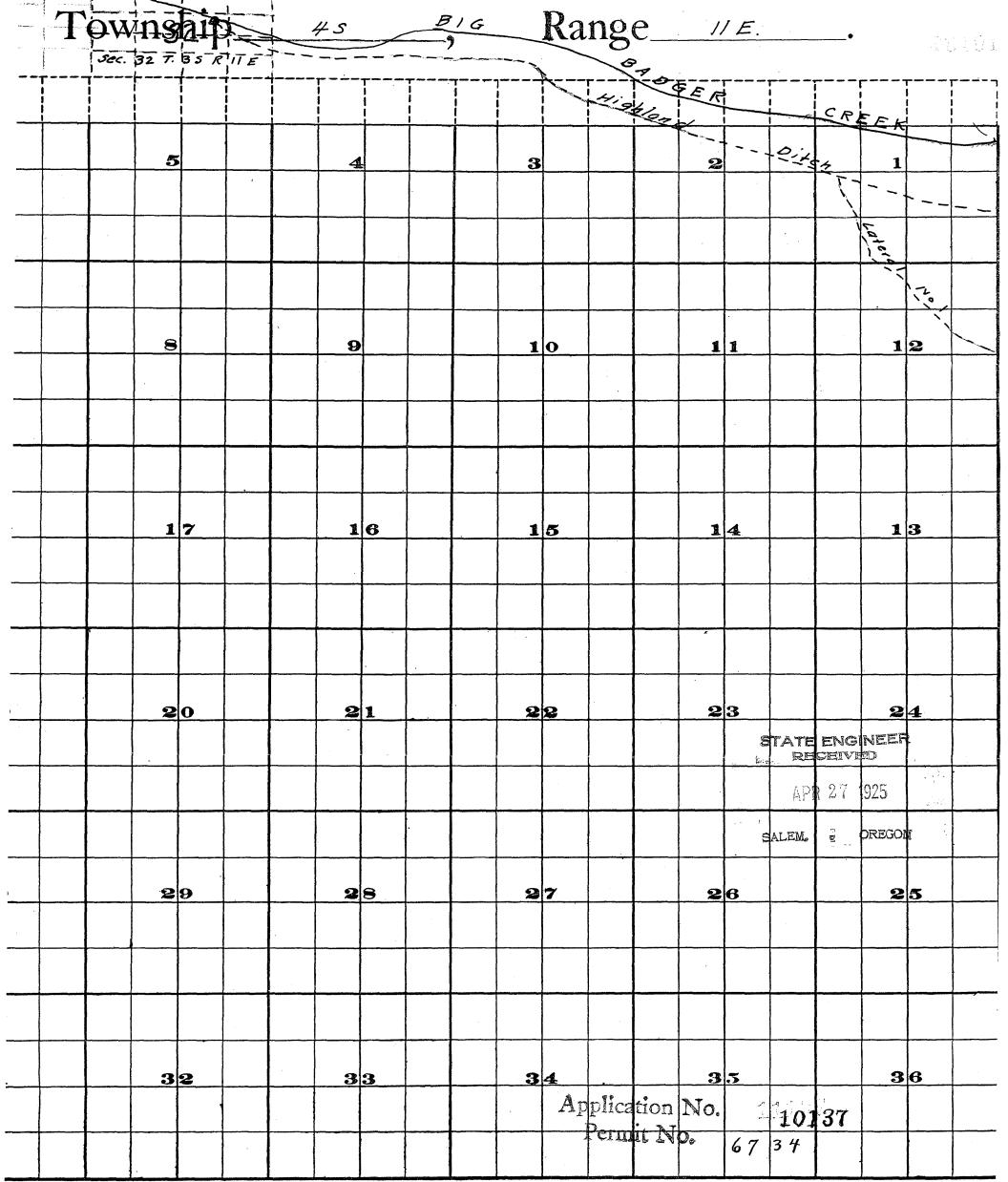






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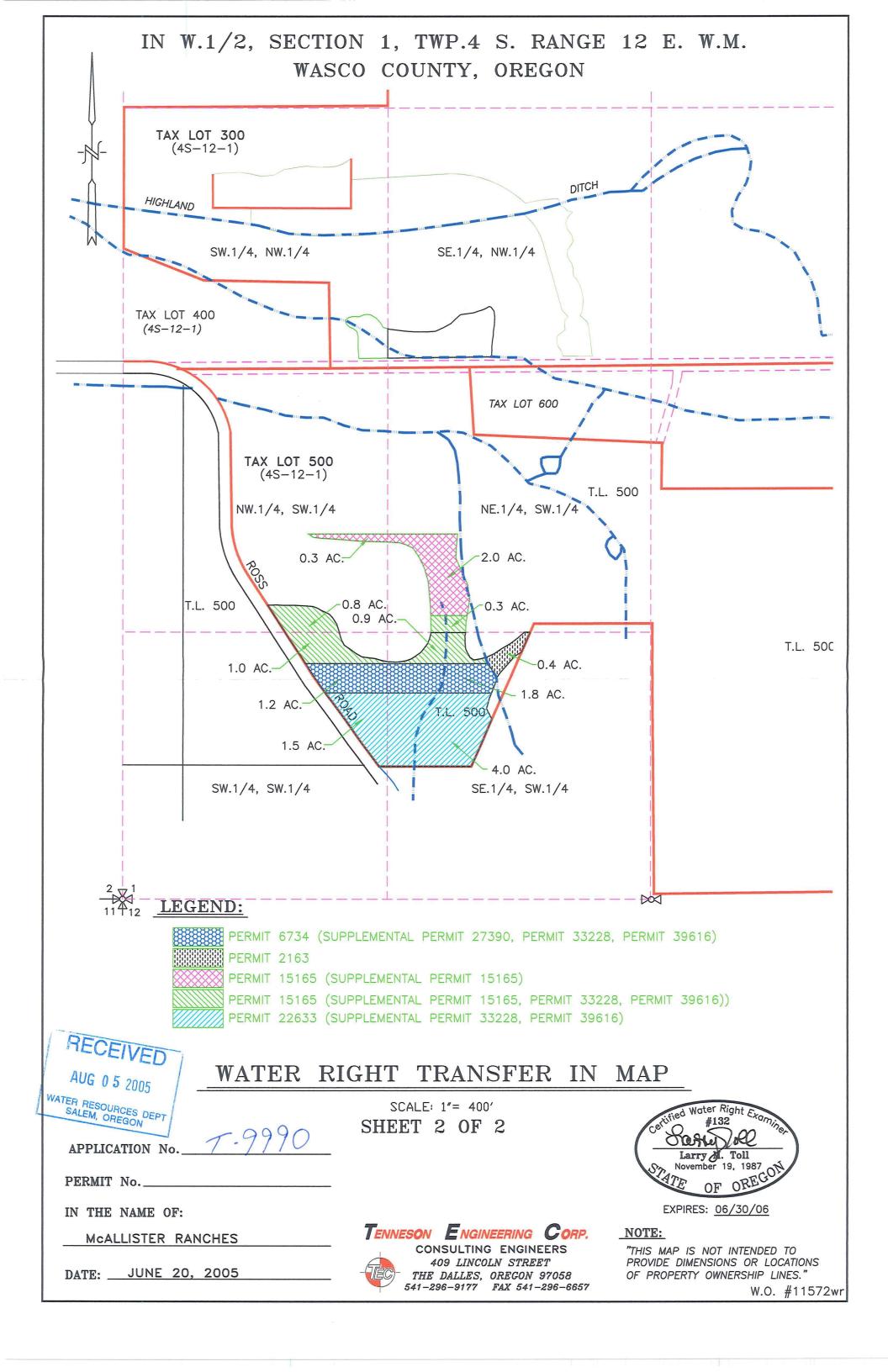
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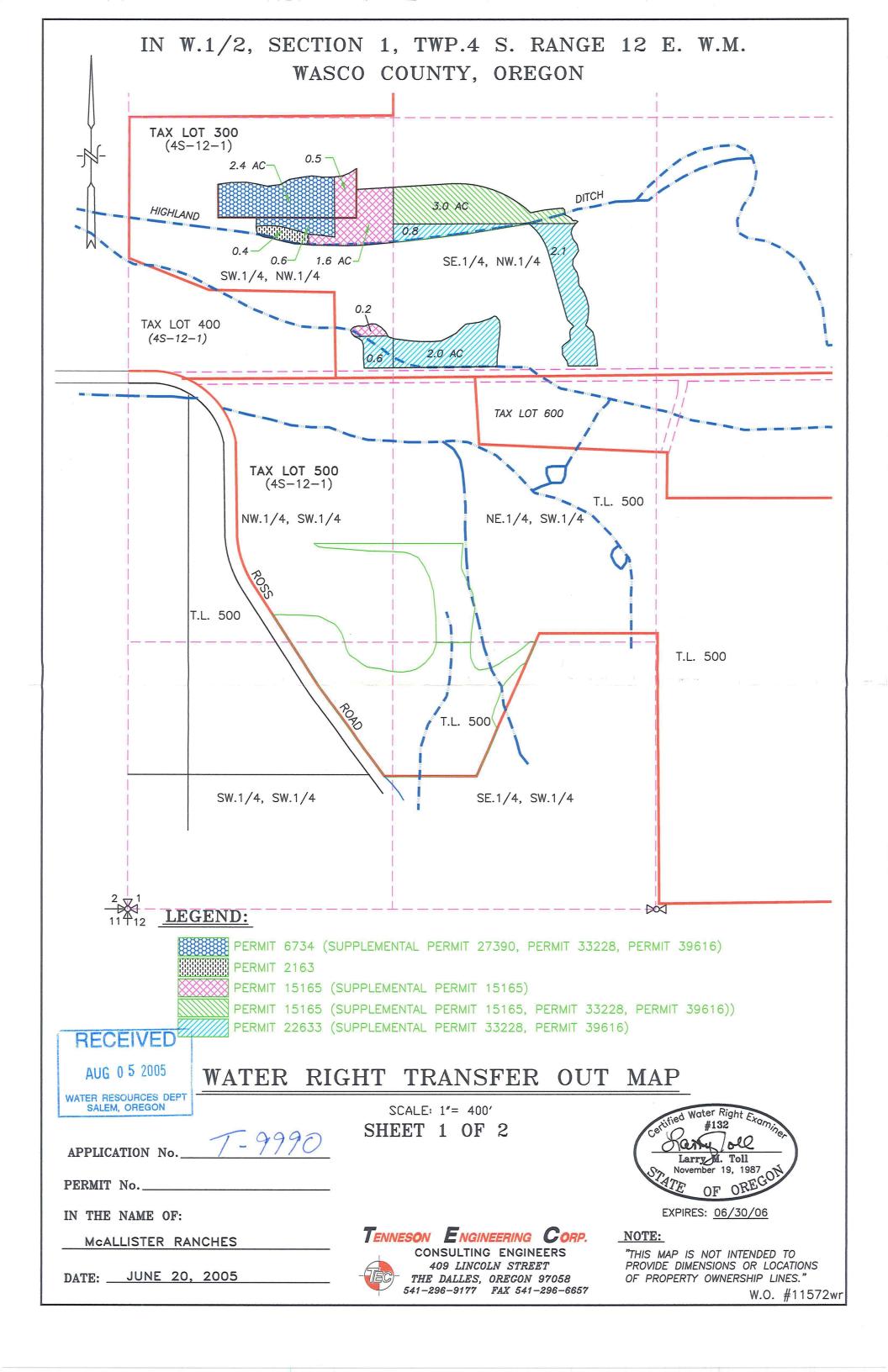


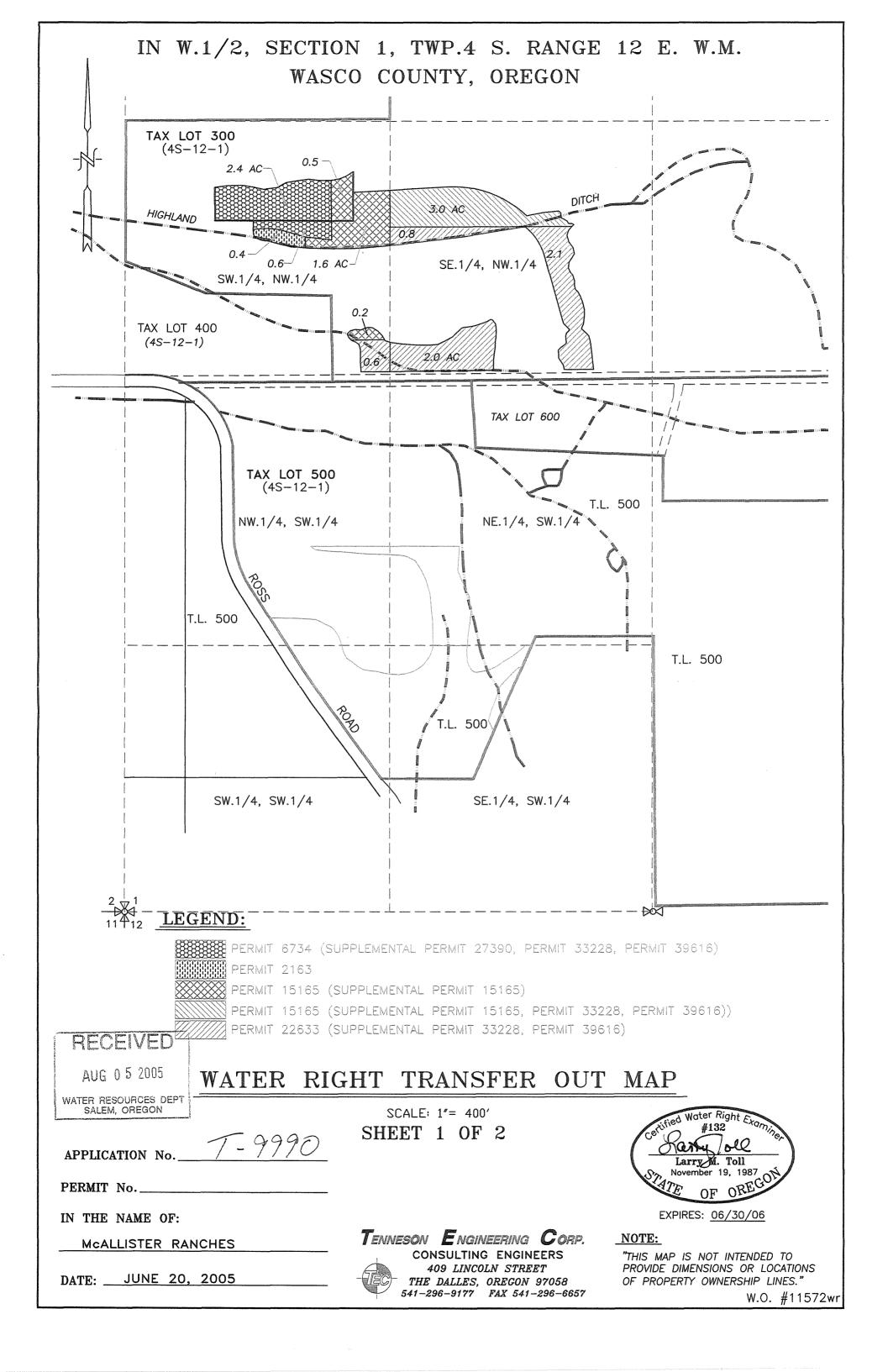
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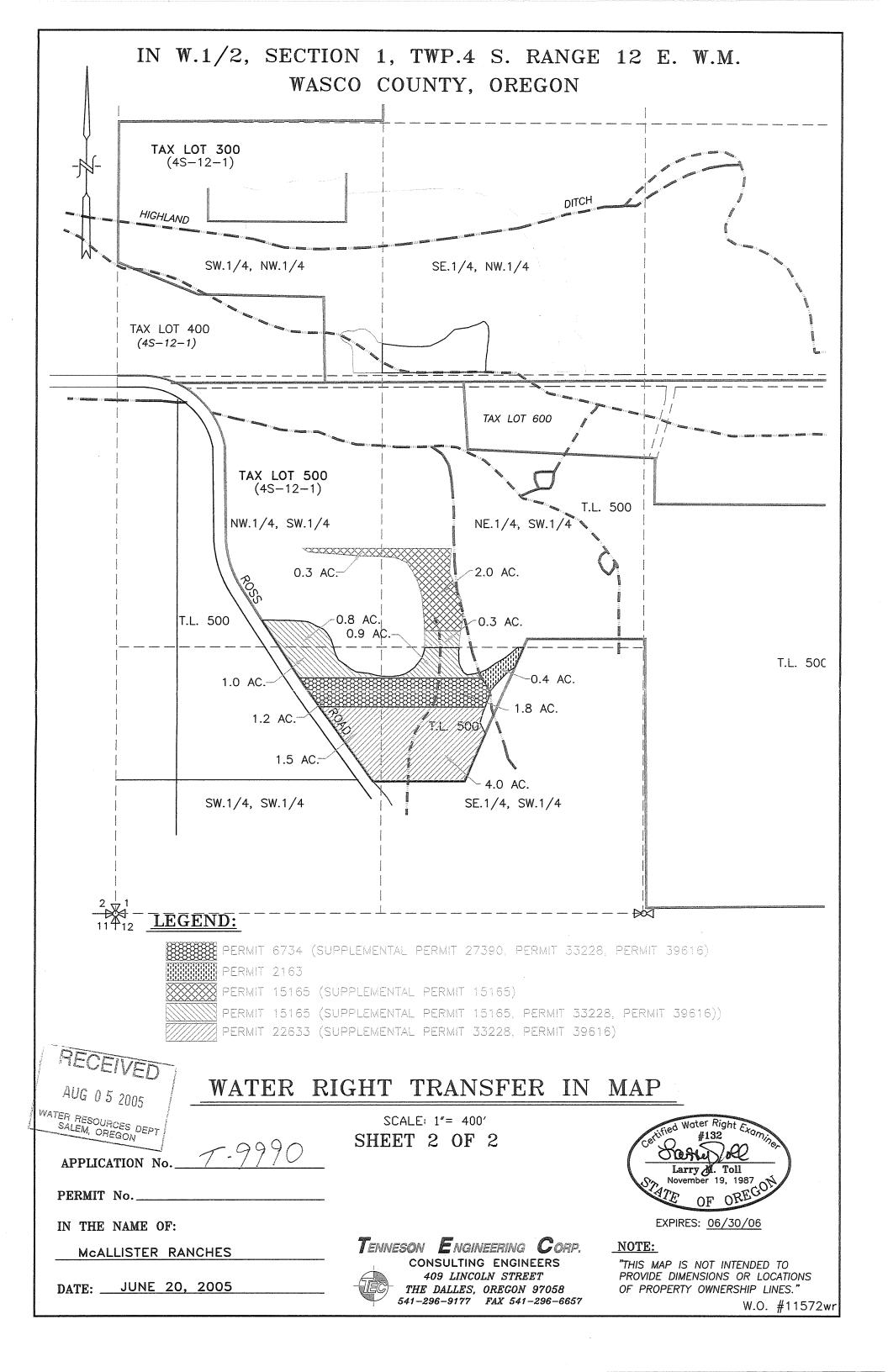
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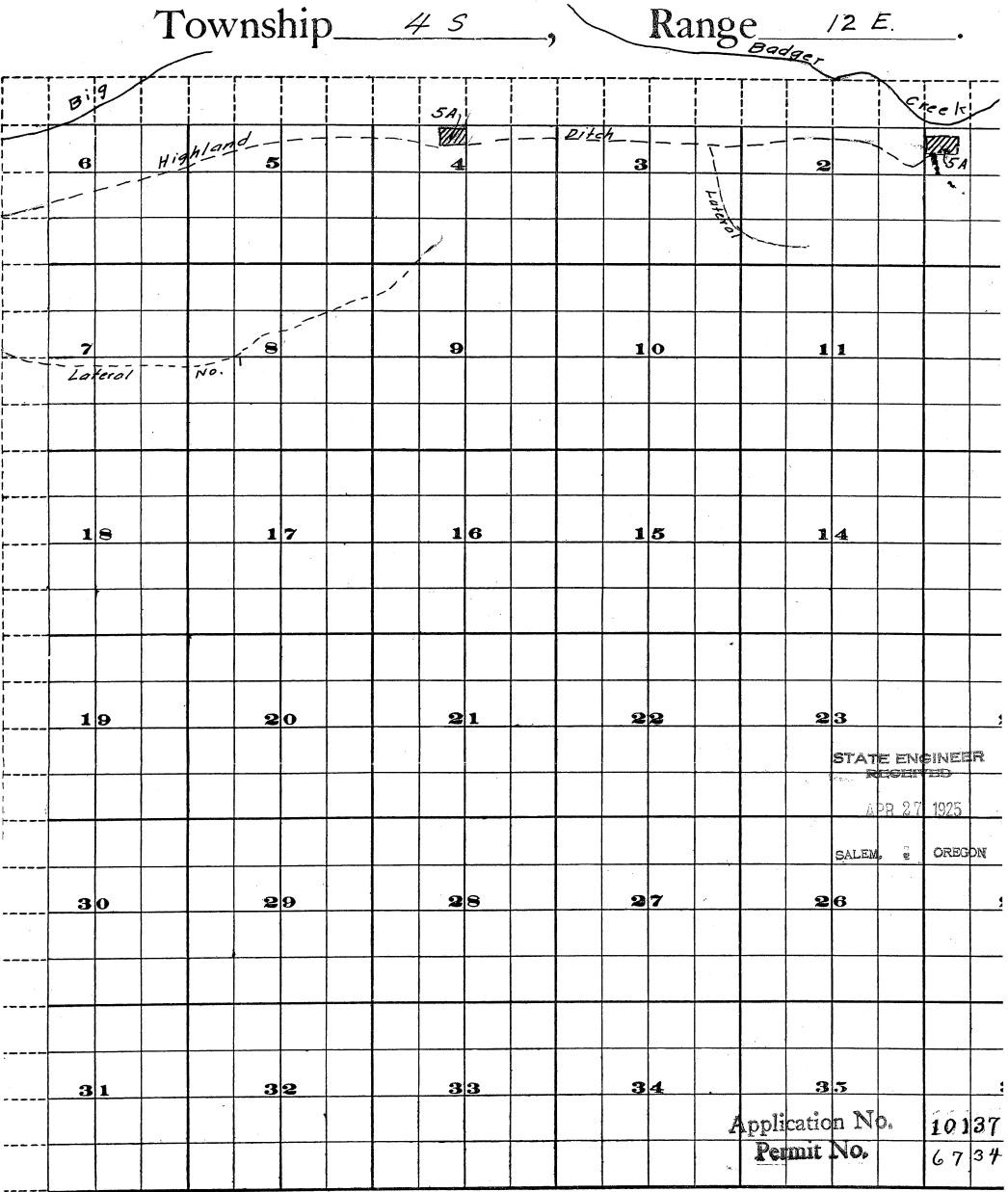
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FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

INTO

Review of "Fron" and "To" Lands T- 7990

# **Platcard Report**

Township 4S Range 12E Section 1

	Wilsinp 40			N	_			N	W			SI	AL	7	<u> </u>	9	E					
						14					-			2								
	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	sw	SE	Govt Lot	DLC
0	05/27/1893	<u>5733</u>	White River					3.0 IR			8.5 IR		0.9 IR			0.4 IR		0.9 IR	0.7 IR			
0	08/08/1914	<u>S2163</u> 46530		CN see transfers				8.9 ID CN			7.9 ID CN						0.05 ID CN	5.7 ID CN	8.0 ID CN	1.2 ID CN		
0	08/08/1914	S2163 76221		CN see transfers				8.9 IR CN			7.65 IR CN						0.05 IR CN	5.7 IR CN	8.0 IR CN	1.2 IR CN		
0	08/08/1914	S2163 80637		see transfers				8.9 IR			7.65 IR						0.05 IR	5.7 IR	8.0 IR	1.2 IR		
0	10/21/1929	<u>S15165</u> -		xfr#: T4313			DO				DO	DO							DO	DO		
	10/21/1929			xfr#: T4313			15.0 IR				8.6 IR	15.0 IR							20.0 IR	30.0 IR		
	10/21/1929			xfr#: T4313			15.0 IS (s)				11.52 IS (s)	15.0 IS (s)						5.35 IS (s)	28.0 IS (s)	31.0 IS (s)		
	10/21/1929			xfr#: T4313			LV				LV	LV							LV	LV		
0	10/21/1929	S15165 46532		CN see transfers			15.0 I* CN				8.6 I* CN	15.0 I* CN							20.0 I* CN	30.0 I* CN		
	10/21/1929			CN see transfers			15.0 IS (s) CN				11.52 IS (s) CN	15.0 IS (s) CN						5.35 IS (s) CN	IS (s)	31.0 IS (s) CN		

Page: 1 2 3 4 5 Next Last

SALEM RESON

Return to Platcard Query Screen

Run Time: 2 seconds

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Run Time: 2 seconds

Need "FPS" for C 5733 (White R. Decree)
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Township 4S Range 12E Section 1

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	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	SW	SE	NE	NW	sw	SE	Govt Lot	DLC
•		S22633 30866		CN xfr#: P59		16.2 IR CN	19.0 IR CN		0.6 IR CN		1.2 IR CN	22.0 IR CN				19.6 IR CN	10.0 IR CN	19.4 IR CN				
•	-	S22633 46531		CN see transfers		16.2 IR CN	19.0 IR CN		0.6 IR CN		1.2 IR CN	22.0 IR CN				19.6 IR CN	10.0 IR CN	19.4 IR CN				
	-	S22633 76222		see transfers		16.2 IR	19.0 IR		0.6 IR		1.2 IR	22.0 IR				19.6 IR	10.0 IR	19.4 IR				
•	03/22/1961	S27390 76223		see transfers	2.6 IR		3.6 IR	19.1 IR	8.8 IR			0.2 IR	21.9 IR	8.0 IR	0.5 IR	5.2 IR	29.35 IR	12.8 IR	11.6 IR	8.8 IR		
	03/22/1961			see transfers				11.9 IS (s)			10.58 IS (s)		0.9 IS (s)				0.05 IS (s)	0.45 IS (s)	0.3 IS (s)	0.2 IS (s)		
•	R76899 01/01/1993	70808		CN																		
	01/01/1993			CN																		
	01/01/1993			CN																		
•	R76899 01/01/1993	73847					FI					FI						FI	FI	FI		
	01/01/1993						LV					LV						LV	LV	LV		

Page: First Previous 1 2 3 4 5 Next Last

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AUG 1 6 2006

5 22633: New FRI for C 26642 527310: New Frs for C 46368

Township 4S Range 12E Section 1

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						N	<u> </u>			N	W			- 51	<u>N</u>			S	<u> </u>			,
	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	ŚW	SE	NE	NW	sw	SE	Govt Lot	DLC
0	R76899 01/01/1993	73847					ST					ST						ST	ST	ST		
	01/01/1993						WI					WI						Wi	WI	WI		
0	R76900 01/01/1993	70809		CN																		
	01/01/1993			CN																		
	01/01/1993			CN																		
0	R76900 01/01/1993	73848										FI										
	01/01/1993											LV										
	01/01/1993											ST										
	01/01/1993											WI										
0	S3843 08/08/1914	S2163 5385		CN				8.9 ID CN			7.9 ID CN						0.05 ID CN	5.7 ID CN	8.0 ID CN	1.2 ID CN		

Page: First Previous 1 2 3 4 5 Next Last

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WATER RESOURCES DEPT.

Township 45 Range 12F Section 1

OV	vnsnip 43	S Range 12L	Section	1 1					_					-	1							
						N	E			N	IW			S	w)			S	E			
	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	św	SE	NE	NW	sw	SE	Govt Lot	DLC
0	S10137 04/27/1925	<u>S6734</u> <u>7221</u>		xfr#: T9990							5.0 IR											
0	S13088 10/21/1929	<u>S15165</u> <u>20243</u>		CN xfr#: O50			15.0  *   CN				8.6 I* CN	15.0 I* CN							20.0 I* CN	30.0 I* CN		
	10/21/1929			CN xfr#: O50			15.0 IS (s) CN				11.52 IS (s) CN	15.0 IS (s) CN						5.35 IS (s) CN	28.0 IS (s) CN	31.0 IS (s) CN		
0	S13088 10/21/1929	<u>S15165</u> <u>20243</u>		CN see transfers			15.0 I* CN				8.6 I* CN	15.0 I* CN							20.0  *   CN	30.0  *   CN		
	10/21/1929			CN see transfers			15.0 IS (s) CN				11.52 IS (s) CN	15.0 IS (s) CN						5.35 IS (s) CN	28.0 IS (s) CN	31.0 IS (s) CN		
0	S19264 -	S22633 26642		CN		16.2 IR CN	19.0 IR CN		0.6 IR CN		1.2 IR CN	22.0 IR CN				19.6 IR CN	10.0 IR CN	19.4 IR CN				
0	S19269 04/09/1941	<u>S14866</u> <u>20279</u>		CN				8.7 IR CN														
0	S21644 05/13/1946	<u>S17901</u> <u>24467</u>																DO				
	05/13/1946			AAA							DS											
	05/13/1946			SA	AUG	The state of the s										LV						
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Township 4S Range 12E Section 1

					NE				NW				Ş	N)			S	E				
	App# Priority	Permit/ Certificate	Claim/ Decree		NE	NW	sw	SE	NE	NW	sw	SE	NE	NW	sw	SE	NE	иw	sw	SE	Govt Lot	DLC
0	S33049 04/21/1959	S26140 27590											DO									
	04/21/1959										LV					LV						
0	S34734 03/22/1961	S27390 46368		CN xfr#: T8080	2.6 IR CN		3.6 IR CN	19.1 IR CN	8.8 IR CN			0.2 IR CN	21.9 IR CN	8.0 IR CN	0.5 IR CN	5.2 IR CN	29.35 IR CN	12.8 IR CN	11.6 IR CN	8.8 IR CN		
	03/22/1961			CN xfr#: T8080				11.9 IS (s) CN			10.58 IS (s) CN		0.9 IS (s) CN					0.45 IS (s) CN		IS (s)		
0	S41445 09/30/1965	S30951 39098				1.9 IR			5.3 IR	12.2 IR												
0	S45212 07/23/1968	<u>S33228</u> <u>51486</u>		see transfers	2.6 IS (s)	16.2 IS (s)	37.6 IS (s)				14.7 IS (s)	37.2 IS (s)	22.8 IS (s)	8.0 IS (s)	0.5 IS (s)	24.8 IS (s)	39.4 IS (s)	37.6 IS (s)	39.6 IS (s)	40.0 IS (s)		
0	S53066 05/01/1975	S39616 51487		see transfers	2.6 IS (s)	16.2 IS (s)	37.6 IS (s)	31.0 IS (s)	9.4 IS (s)		14.7 IS (s)	37.2 IS (s)	22.8 IS (s)	8.0 IS (s)	0.5 IS (s)	24.8 IS (s)	39.4 IS (s)	37.6 IS (s)	39.6 IS (s)	40.0 IS (s)		

Possible Complete

Page: First Previous 1 2 3 4 5

Need FPS maps for C 51486 and C 51487

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To: fr6	Page(of _/
From: G B12	Date: 6/6/04
Project: M2 Alluta T-9990	
Subject: "Fron " Lands Rester	
Per. 5-6734: My provided seems to show "From" are in	s covered.
Per. 5-15065: No my provided - New FPS & C 20243	
Per 5-2163: May provided does not correspond with cent	short 80637
Need FPS My for C 5385 and/or T-5606	
Per 5-22633: Map provided does not correspond with ant	.76222. Neel
FPS for C 26642	
Per 5-27390: Maps provided to not correspond to Certifi	cstr. 76223.
Veel F/S for C 46368	51451
New Frs for C51486	31706
Per 5-39616 Map provided doesn't include dec 1. A	lood FRS
may for C 51487	s dev
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PAGE

# Oregon Water Resources Department

UWRD



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900

http://www.wrd.state.or.us

### **FAX TRANSMITTAL**

To: Greg Kupillas

Date: 6/9/06

Dorothy Pedersen

Fax Number: (503) 632-5983

Pages: 21, including cover sheet

Phone: 503-986-0 890

Comments:

Greg - I've found the best maps that seem to be available for the rights involved in T-9990 and T-10016 Hope Gully it will give you some more help than you've had up to now. If we don't have maps that contradict the "from" maps we'll have to go with them.

### DIRECTOR'S OFFICE

- Water Resources Commission
- · Legislation and Rules
- · Public Information

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- Regional Liaisons
- Transfers
- Hydrographics

### **NORTHWEST REGION**

• District 16 Watermaster

### **ADMINISTRATIVE SERVICES**

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- Human Resources / Personnel
- · Water Development Loan Fund
- Support Services

Fax: 503-986-0903 or 503-986-0904

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- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

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- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
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### **Dorothy Pedersen**

From: Greg Kupillas [phggek@bctonline.com]

Thursday, June 08, 2006 10:34 AM Sent:

To: 'Dorothy Pedersen'

Subject: McAllister Transfers -45 R13E Sec 7

Dorothy.

I have more or less completed the deliverables for the two McAllister transfers. The only thing I am uncertain about regarding the deliverables is the language I am supposed to add "acknowledging that T-8080, T-9990, and T-10016 are all affecting the right under Certificate 76223, and T-8080 and T-9990 are both affecting the right under Certificates 51486, 51487, 76222 and 80637" as discussed in your e-mail of 5/17/06. I am uncertain whether I am supposed to include this language in the DPD. In your e-mail you indicated I would add this finding in the orders. However, we contractors no longer prepare the final orders because that is now handled by you using the templates. So I am a bit confused about this. If I am supposed to add such language to the DPDs, it would be helpful if you could provide an example. Something like:

This transfer is being processed concurrently with transfer applications.

This transfer is being processed concurrently with transfer applications.

Upon issuance of a final orders for these transfers, remained certificates will be issued that reflect And, as we have discussed, I am unable to confirm most of the "From" lands and have also identified a number of changes potential conflicts with the "To" lands which I cannot check because I do not have adequate FPS maps and most due to of these rights are not shown on interactive mapping (or IM is not up to date). I was provided several maps which all of supposedly represented the water rights for the various certificates involved in the transfers, but only one of the maps actually corresponds with the acreages listed on the certificate. I have made a list of FPS maps that should these applications. provide the information I need, if they are available.

#### "From" Lands

T-9990. I would like to be able to view perfected water rights (i.e., FPS maps) in Section 1, T4S, R12E for the following certificates or transfers:

C20243 for Permit S-15165 5-1388 (#-11-3)

C26642 for Permit S-22633

046368 for Permit S-27300 Afready Sent

C51486 for Permit S-33228 5-43459.

6/8/2006

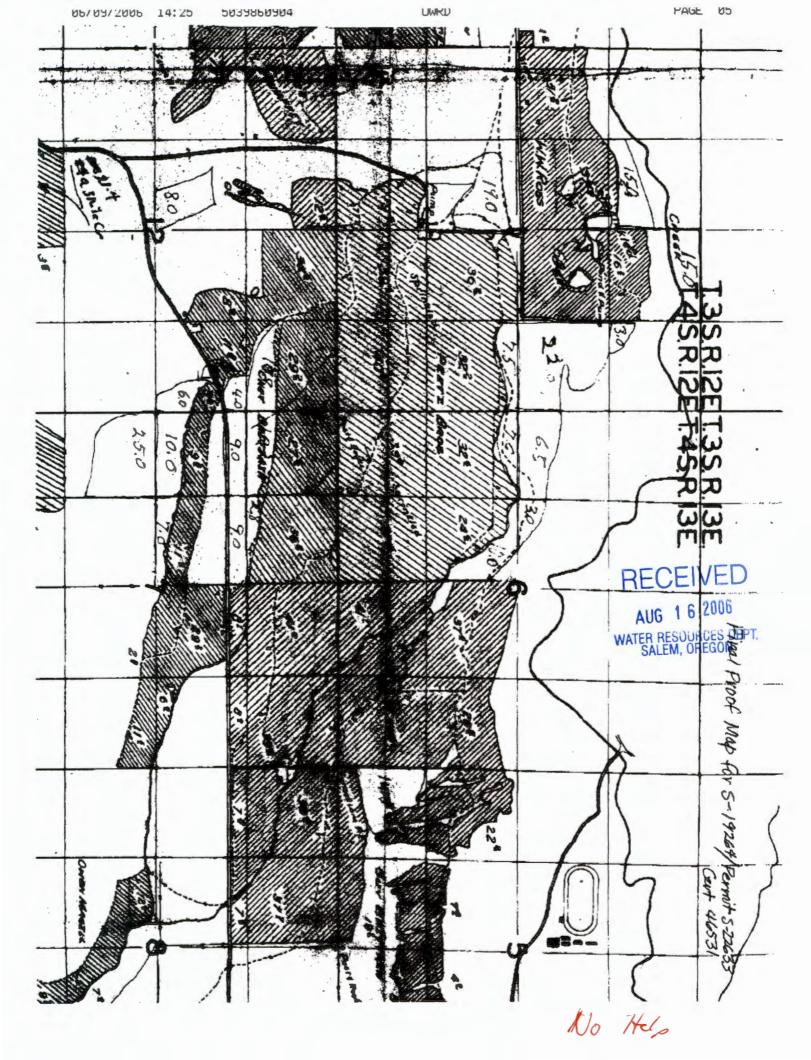
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T-8080 - Ken has in Pendleton

# from White River Decree map T45 RIZE

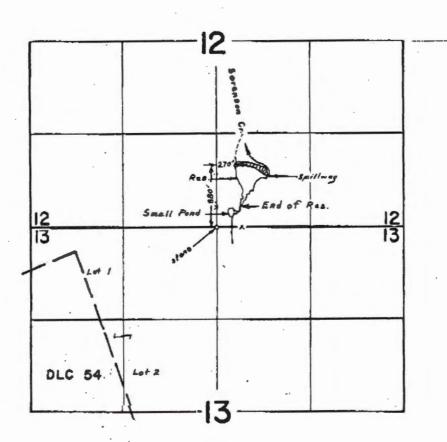
may Millipped 0 Round Provie Dish AUG 1 6 2006 WATER RESOURCES DEAT. 18 ft x 12 ft x 9 ft.





No help

# T.5S.R.2E.W.M.



# FINAL PROOF SURVEY

R-43441 R-5263
Application No. 43459 Permit No. 33268
IN NAME OF

WILLARD G. DEARDORFF

Surveyed Nov. 19 1969, by L. E. Gould

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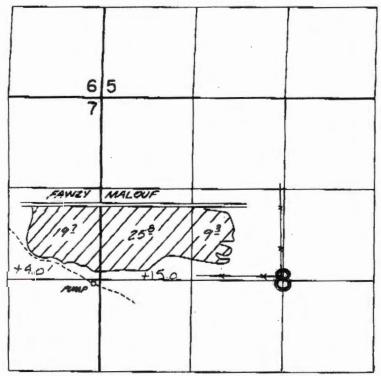
Final Proof map for

D-136 + D-137

App 5-19264, Permit 22633 Each

App 5-13088, Permit 15165

T.4S. R. 13 E. W.M.



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72-61 83 PTS 1975 H CRK

T-5606.

RECEIVED

MAR 1 3 1985

WATER RESOURCES DEPT SALEM, OREGON

PUMP - DISTRICT CAMAL
PAND - SEC 1

W & COR SEC 1

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APR 1 1985

WATER RESOURCES DEF SALEM, OREGON

SCALE B'= / MILE

FROM

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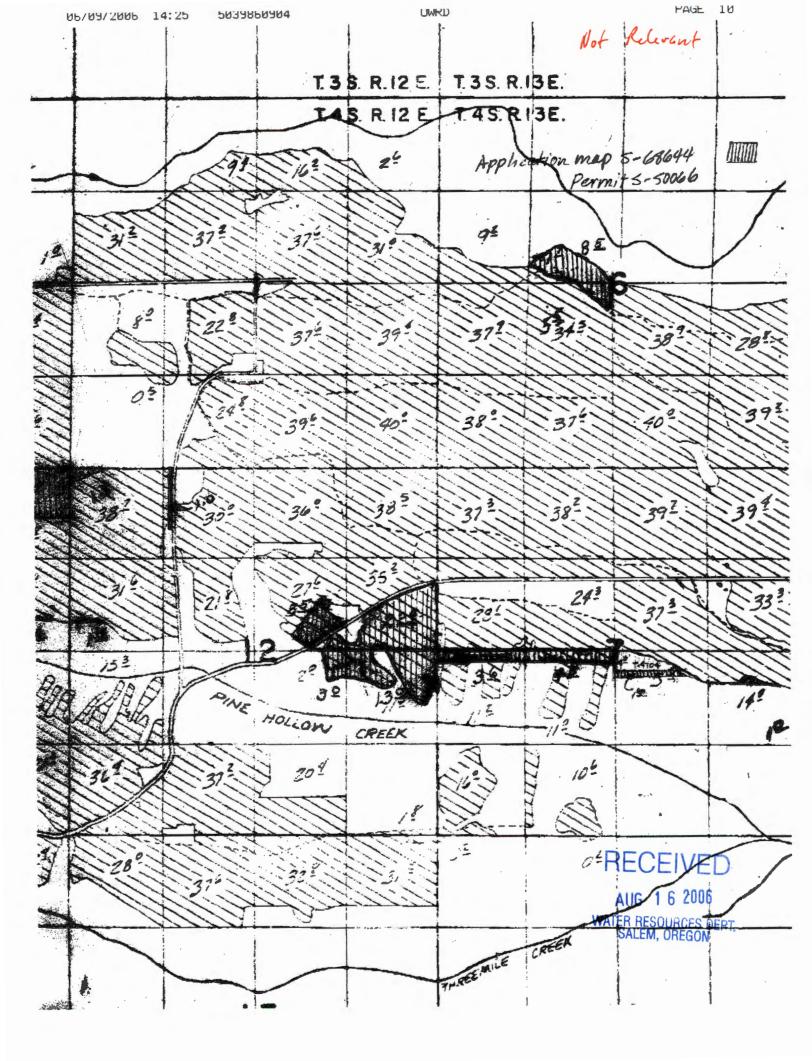
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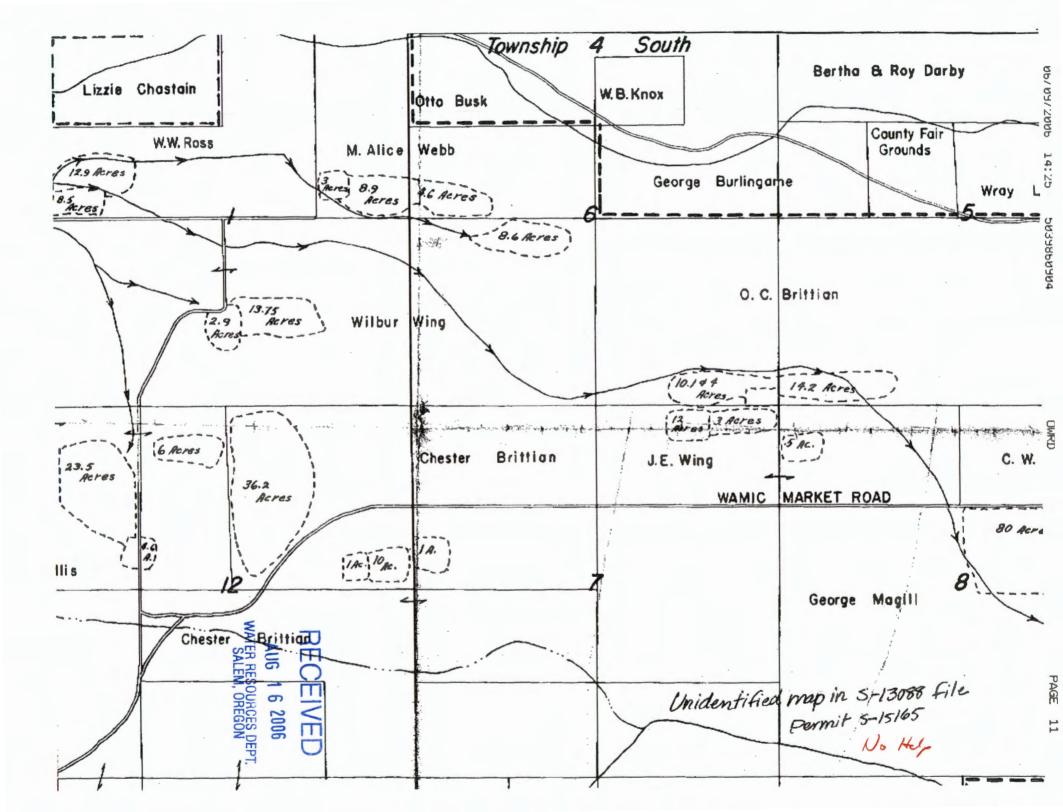
Application map for T.-5606 App 5-3843/Permit 2163 RECEIVED

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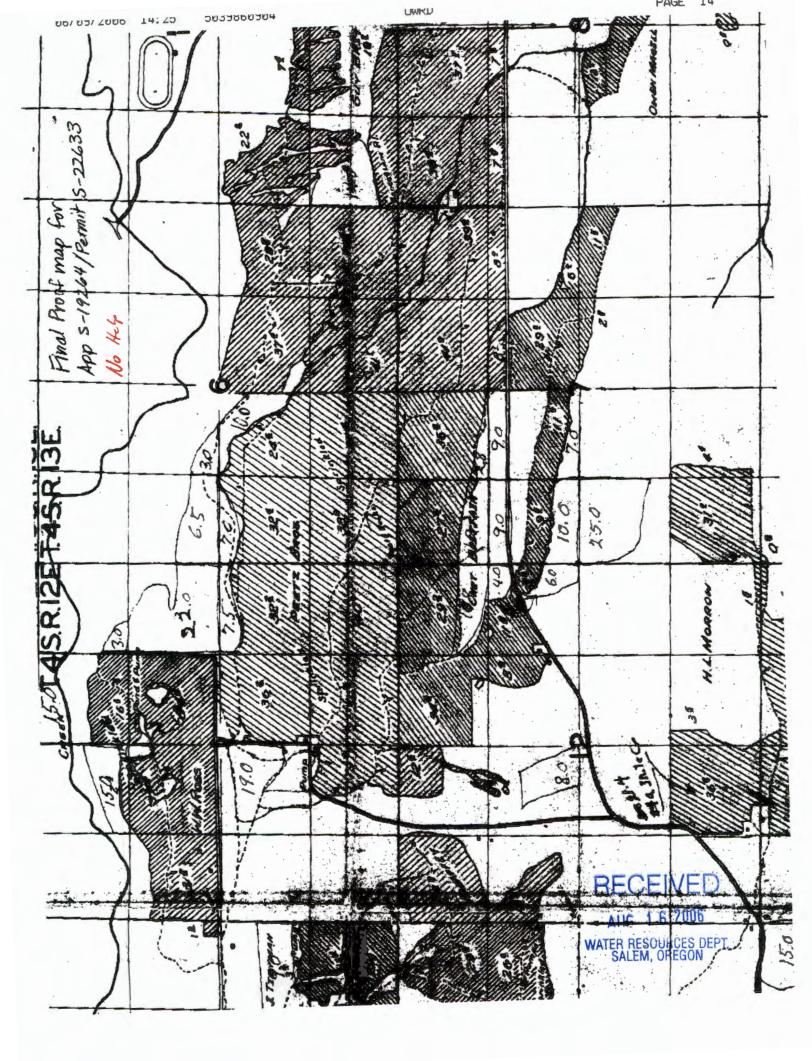
Shows transfer affecting Rermit 2163



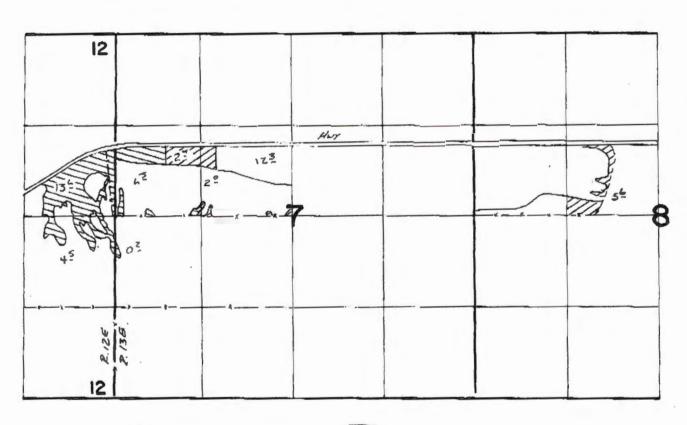


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R.D & 5-P17901			11.525	15.5 25.E	202	
8.4 7 0 53851 8.4 9 15165	REGS PIME	13.14 c 5 3857 940 PISIES		09 2-15116	5.7 C.5385V 0,9 / 8-5138 /	121 15185
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4.2 25385/ 79'C 5385	150'C 111089	144	18.0" C 5385	6.0' c 9529'	13.01 & 5385	30º
112 1005	18º2		14.26 3		X	X
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T. 4S., R. 12 & 13E., W. M.







# FINAL PROOF SURVEY

TRANSFERS 4704, 4957

Wm. R. McALLISTER

Surveyed 10-19 1988, by .V.L. Church



TOE! VED

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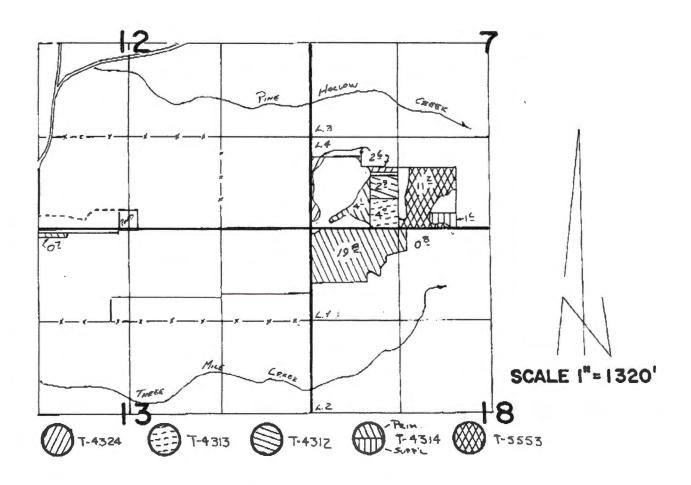
SP ORDER V. P.

41065-472-96

1-7-87 VLC

# T. 4S., R. 12 & 13E., W. M.

5039860904



### **FINAL PROOF SURVEY** UNDER

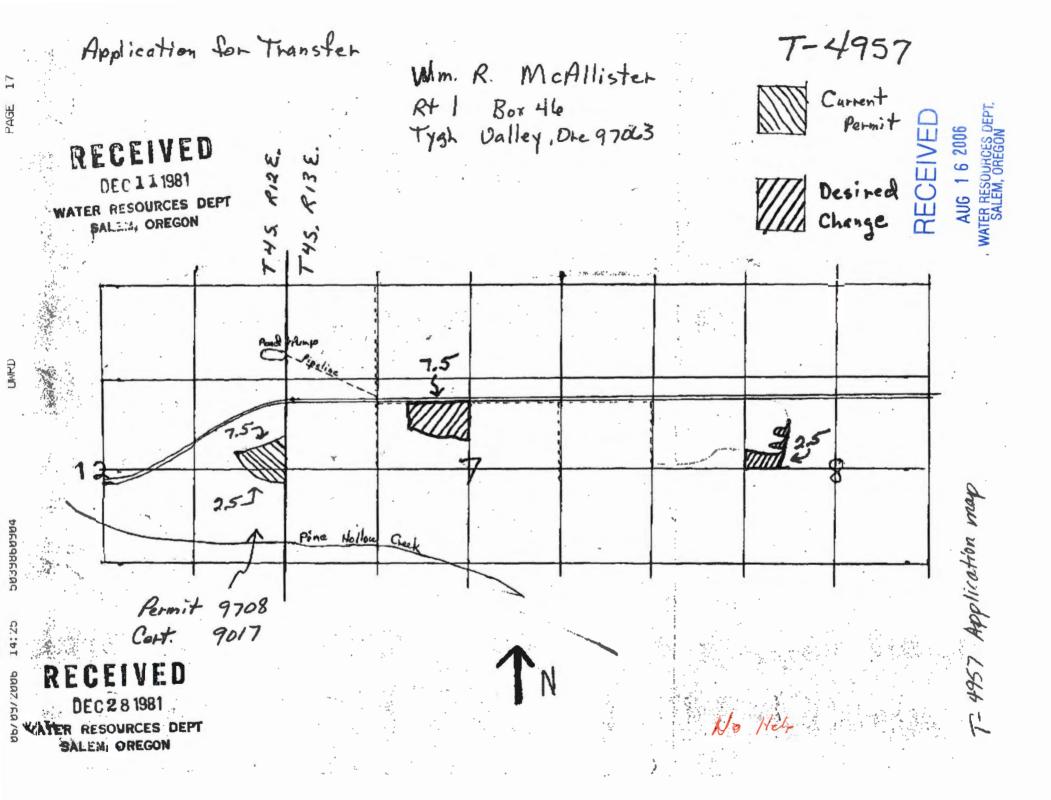
TRANSFERS	4324, 4313,4312,4314, 55 IN NAME OF	53
***********	RAY A BENZEL	••••

Surveyed 10-18 1988, by Lh. Cherch

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41065-179-224



REPORT ON INSPECTION UNDER TRANSFER OF WATER RIGHT FOR CHANGE IN: POD

POD POU USE Add'1 POD

	Trai	nsfer No 4	1704	_		County Wasco
3	Old	Certificate	No. 4	6368		
	1.	Name W	m. R.	mc a	llister	
	•-,	Address R	the Bo	× 46, 7	ingle Valley, &	2R97063
					,0.	
					Lake	Trib of
	3.	Use C	n/3	334		
	4.	Amount of Wa	iter D	26cts		
		Priority Dat		- +	•	
	6.	Proposed Poi	nt of Div	ersion	Highland -	Ditch
	7.	Completion D	ate	0-1-8	2	
	8.	Place of Use	:			
		Township	Range	Section	Forty Acre Tract	Use for Which
			12	12	NE SE	Transfer Made
		145	#BE	12	SENE	13.6ac
			13E	7	NW SW	0.2
					5WNW	6.5
				-		DECENTED.
						RECEIVED
						AUG 1 6 2006
				·		WATER RESOURCES DEPT. SALEM, OREGON
						Leray liveton
						A STATE OF THE STA

Into: Wm. R. Ms Allister - Same address -

Spoke w/heron who manages their who explained system & areas of use.

Flooded outo new place of use.

Use: Pasture

-to

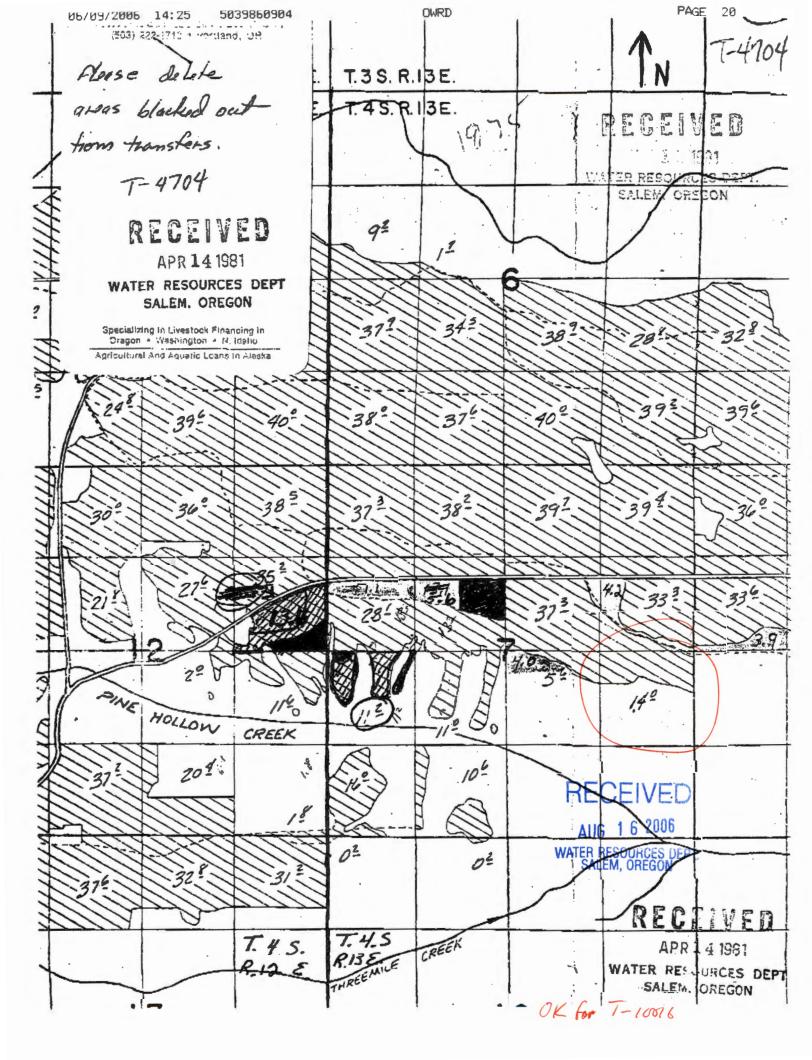
Tie: 41065-472-86

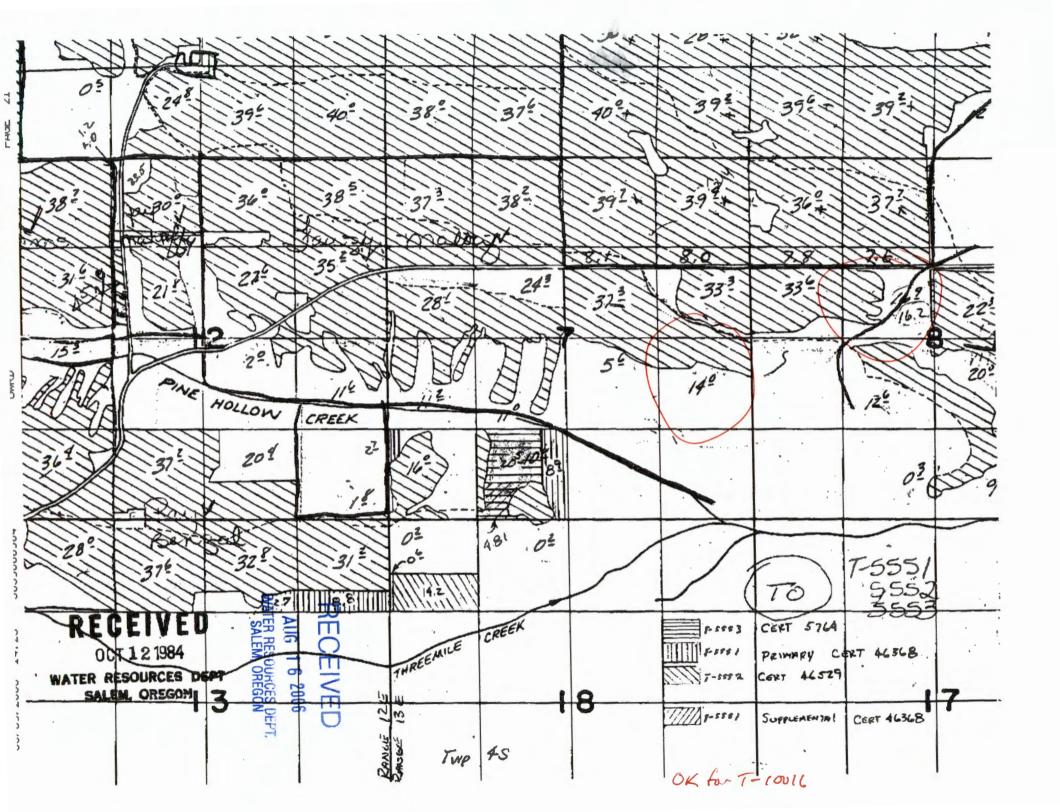
Horang Volland

Note: The surplus is from the land worth of the road. Some of the land

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SALEM, OREGON





### **Greg Kupillas**

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrd.state.or.us]

Sent: Monday, June 12, 2006 11:47 AM

To: phggek@bctonline.com

Subject: FW: Questions about Certificate 76223

### Greg,

It looks like this is the most up-to-date mapping information the Department has for the right under Certificate 76223. Historically, mapping records for that area have been less than adequate, so the Department has be attempting to get information together. Hopefully this will help answer your questions about where the right exists in that area.

### Dorothy

From: Bob Wood [mailto:Robert.L.WOOD@wrd.state.or.us]

Sent: Monday, June 12, 2006 10:43 AM
To: Dorothy.I.PEDERSEN@wrd.state.or.us
Cc: Ken.D.DOWDEN@wrd.state.or.us

Subject: RE: Questions about Certificate 76223

Hi Dorothy,

Attached you will find two pdf files of the sections you are looking for. The source for this information is an ArcView project that Larry Toll put together before he retired. The areas in red are the POU for certificate 46368, the predecessor to certificate 76223. The areas in red are POU for certificate 46368 and shows the specific 1/4 1/4's you're looking for. I have not gone through these shape files myself to verify if this information is 100% accurate or not. The best person to ask would be Larry Toll. He is now working part time for Tenneson Engineering here in The Dalles. Their number is 541-296-9177. Hope that helps. Let me know if you have any questions.

**Bob Wood** 

AUG 1 6 2006
WATER RESOURCES DEPT.
SALEM, OREGON

At 02:11 PM 6/9/2006, you wrote:

Hi Dorothy, WELCOME TO MY WORLD!

As it turns out, after spending a half hour on this, the questions you ask regarding those specific acreages contained within those 1/4 1/4's of section 7 & 8 are outside the scope of the transfer T-8080 I was working on.

I would suggest that the contractor contact the Watermaster Bob Wood, and, to what extent Larry Toll can answer questions on these GIS maps, hopefully between the both of them he can ascertain a copy of the GIS arc maps which deciphers the mess to some degree.

So, in other words, I do not have copies of maps for these areas under Certificate 76223.

It is true that some of the maps are not conclusively representative of the certificates and visa versa.

From: Dorothy Pedersen [ mailto: Dorothy.I.PEDERSEN@wrd.state.or.us]

Sent: Thursday, June 08, 2006 10:19 AM

To: 'Ken Dowden'

Cc: phggek@bctonline.com

Subject: Questions about Certificate 76223

Hi Ken,

The contractor working on McAllister transfers T-10016 and T-9990 is coming up with some questions about where the authorized lands in Sections 7 & 8, T4S, R13E are located. He notes that the FP map for App S-34734/Permit S-27390 acreage does not match the certificate acreage in some quarter quarters, yet our WRIS system hasn □t helped to figure out which acres may have been moved by other transfers and which actually remains. I see that you may have encountered some of these problems in working on T-8080, and wonder if you have any additional maps that may be helpful in figuring what □s actually where.

### Particularly:

NE SE, Sec. 7, T4S, R13E is shown on the map to have 14.0 acres, but Certificate 76223 lists only 6.0 acres. Do you have maps to explain which 6 of the original 14 acres remain?

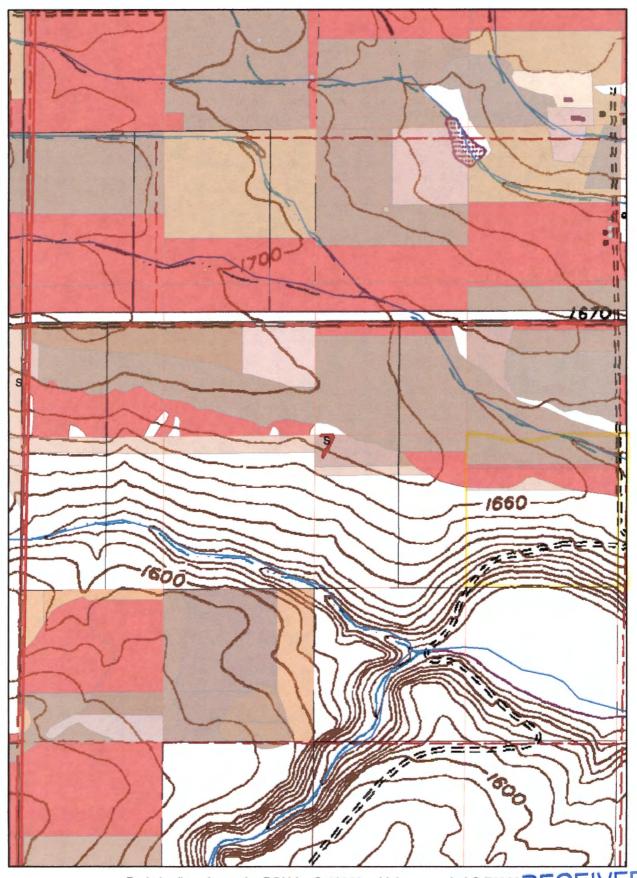
SE NW, Sec. 8, T4S, R13E is shown on the map to have 16.2 acres, but Certificate 76223 lists only 3.6 acres. Do you have maps that show where the 3.6 acres are located?

Thanks, Dorothy

Robert Wood Watermaster, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2650 http://oregon.gov/OWRD Robert.L.WOOD@wrd.state.or.us

AUG 1 6 2006
WATER RESOURCES DEPT.
SALEM, OREGON

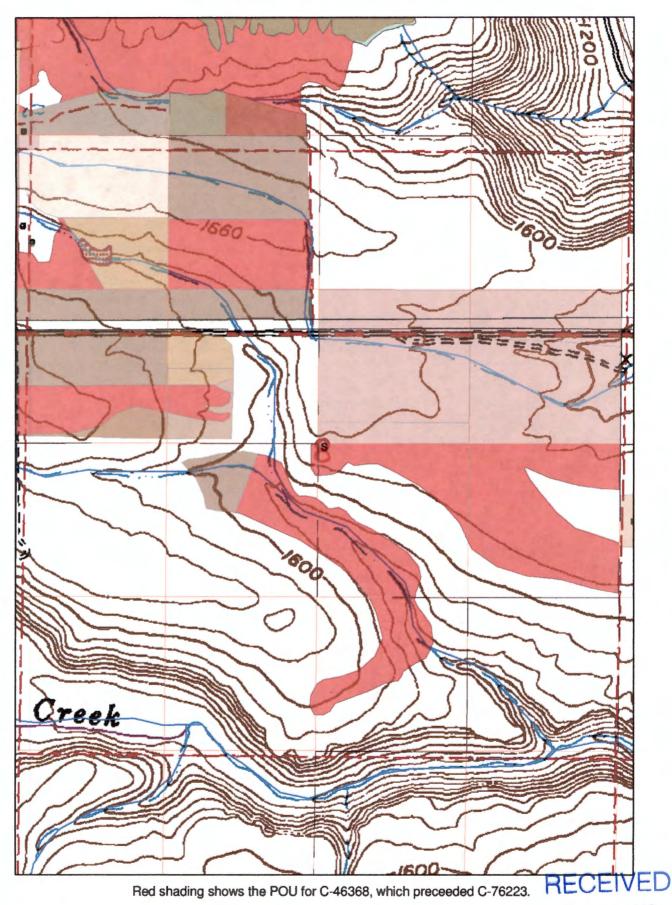
# T4S R13E Sec 7



Red shading shows the POU for C-46368, which preceded C-76223.RECEIVED

WATER RESOURCES DEPT. SALEM, OREGON

# T4S R13E Sec 8



AUG 1 6 2006
WATER RESOURCES DEPT.
SALEM, OREGON

### **Greg Kupillas**

From: Bob Wood [Robert.L.WOOD@wrd.state.or.us]

**Sent:** Monday, June 26, 2006 9:14 AM

To: phggek@bctonline.com

Subject: RE: Transfer T-9990, McAllister

### Greg,

Take a look at these maps and see if they will do. I don't have FPS maps for the certificates you asked for, other than what I already provided. So, back to the ArcGIS versions. When Larry created this Arc View project, these were the latest versions of the remaining rights certificates. The project has not been updated since then, but a quick check of the current certificates showed me that the acreage hasn't changed in the 1/4 1/4's you're interested in. Let me know if these work for you.

FPS for Certificate 20243 (Permit S-15165) I used certificate 46532.

FPS for Certificate 26642 (Permit S-22633) I used certificate 46531.

FPS for Certificate 5385 (Permit S-2163) I used certificate 46530.

Bob

At 04:04 PM 6/21/2006, you wrote:

-->

Bob,

Thanks for providing the maps. Some were helpful and some were duplications of others I have already been provided. Of the six maps you provided, four were useful. All of the GIS maps you provided were helpful.

Issues remain regarding the current lands covered by the following three water rights proposed for transfer:

Certificate 80637, Permit S-2163

Certificate 46532, Permit S-15165

Certificate 76222, Permit S-22633

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WATER RESOURCES DEPT. SALEM, OREGON

One of the problems is that these certificates are for remaining rights; therefore, there are no FPS maps to show the locations of the remaining covered lands. I have done enough background research to figure out which original certificates should, in theory, have FPS maps that would be representative of the lands in question. They are as follows:

FPS for Certificate 20243 (Permit S-15165)

FPS for Certificate 26642 (Permit S-22633)

FPS for Certificate 5385 (Permit S-2163)

The map for permit S-2163 you provided appears to be consistent with Cert 80637 (in terms of the list of acres within each QQ section); however, the lands shown on the map do not appear to cover the "From" lands proposed in Transfer T-9990. Additionally, the map you provided for Permit 22633, which is presumably the FPS map for Certificate 26642 (the original certificate for Permit 22633), does not show the same acres in the QQ sections of interest (specifically the SW NW and SE NW of Section 1, T4S, R12E.), as well as other QQ sections, as listed in either Certificate 26642 or Certificate 76222. If the acres shown on the map do not match the acres listed in the relevant certificate(s), the reliability of the map becomes suspect and we cannot verify where the water rights are actually located.

I suspect that Larry Toll, who I understand is the former Water Master in the area, must have some basis for the proposed "From" lands. Perhaps we need to ask him to provide the evidence for the actual locations of the "From" lands. Please let me know what you think.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

----Original Message----

From: Bob Wood [ mailto:Robert.L.WOOD@wrd.state.or.us]

Sent: Tuesday, June 20, 2006 11:16 AM

To: phggek@bctonline.com

Subject: RE: Transfer T-9990, McAllister

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WATER RESOURCES DEPT. SALEM, OREGON

Greg,

Attached are the maps you requested. Some are scanned copies of the maps I have here in my office, some are from an ArcGIS project that the previous watermaster, Larry Toll, made before he retired. I did a quick check of the ArcGIS maps to see if the acreages looked about right compared to the certificates, but without a more thorough research, I'm not sure how accurate the ArcGIS maps really are Hopefully, this will give you what you need. Let me know if you have any questions.

**Bob Wood** 

At 02:50 PM 6/15/2006, you wrote:

-->

Thanks!

----Original Message----

From: Bob Wood [ mailto:Robert.L.WOOD@wrd.state.or.us]

Sent: Thursday, June 15, 2006 8:53 AM

To: phggek@bctonline.com

Subject: Re: Transfer T-9990, McAllister

Hi Greg,

I will see what I can do. I'll try to have something for you by the 1st part of next week, if not sooner.

**Bob Wood** 

At 10:40 AM 6/14/2006, you wrote:

-->

Bob,

AUG 1 6 2006

WATER RESOURCES DEPT.
SALEM, OREGON

I am the contractor who is processing the subject transfer through the reimbursement authority program. As I'm sure you're aware, one of the things we need to do to approve a transfer is to confirm that the "From" lands specified in the transfer application are actually covered by the water rights proposed for transfer. Additionally, we have to confirm that there are no conflicts with the proposed "To" lands. In order for me to complete these two tasks satisfactorily, I need to be able to see maps showing the actual locations of the affected water rights on the "From" lands, as well as maps showing the actual locations of potential conflicting water rights on the "To" lands. So far, I have been unable to obtain adequate maps from the Department for some of the water rights affected by this transfer. I understand you may have some GIS maps prepared by others that accurately show the current distribution of water rights covering the lands of concern. Specifically, I am looking for maps that show the current POUs in Section 1, T4S, R12E, for the following permits:

Permit S-2163 (I think the POU for Cert 5385 would work, since I have the FPS for the relevant, affecting transfer) Permit S-22633 (POU for Cert C26642) Permit S-27390 (POU for Cert 46368) Permit S-33228 (POU for Cert 51486) Permit S-39616 (POU for Cert 51487) Please let me know if you can help, and provide any relevant maps you have. Regards, Greg Kupillas, R.G., C.W.R.E. Pacific Hydro-Geology Inc. 18477 S. Valley Vista Rd. Mulino, OR 97042 503.632.5016 Robert Wood Watermaster, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2650 http://oregon.gov/OWRD Robert.L.WOOD@wrd.state.or.us

Robert Wood Watermaster, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2650 http://oregon.gov/OWRD Robert.L.WOOD@wrd.state.or.us RECEIVED

AIIG 1 6 2006

WATER RESOURCES DEPT. SALEM, OREGON

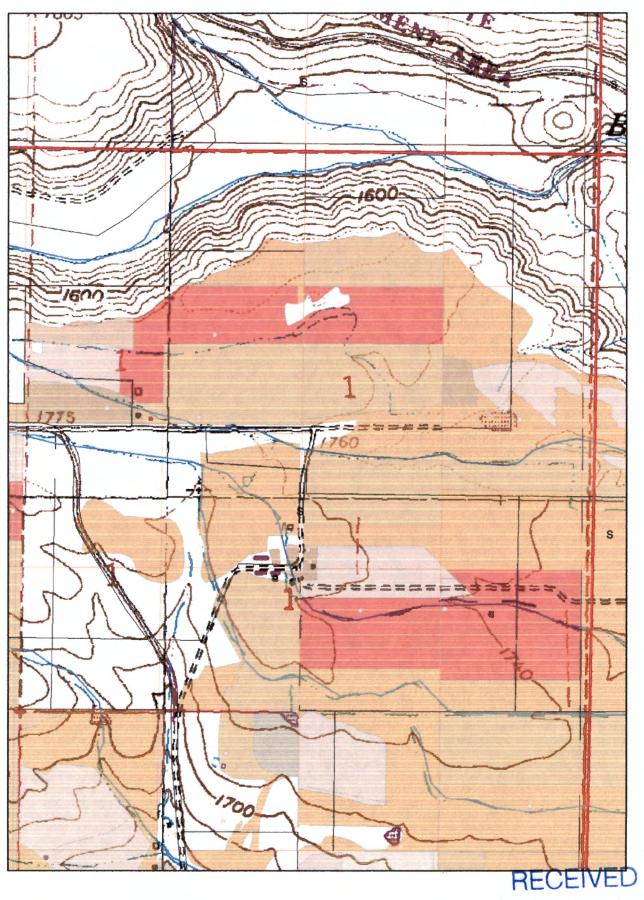
Robert Wood Watermaster, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2650 http://oregon.gov/OWRD Robert.L.WOOD@wrd.state.or.us

RECEIVED

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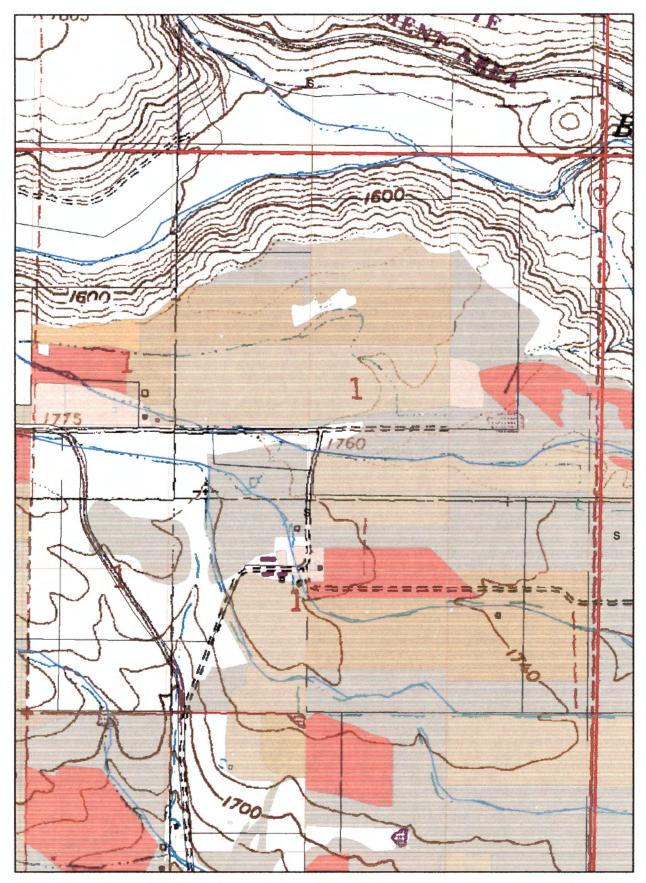
WATER RESOURCES DEPT.
SALEM, OREGON

### T4S R12E Sec 1 POU certificate 46532 5-15165



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### T4S R12E Sec 1 POU certificate 46530

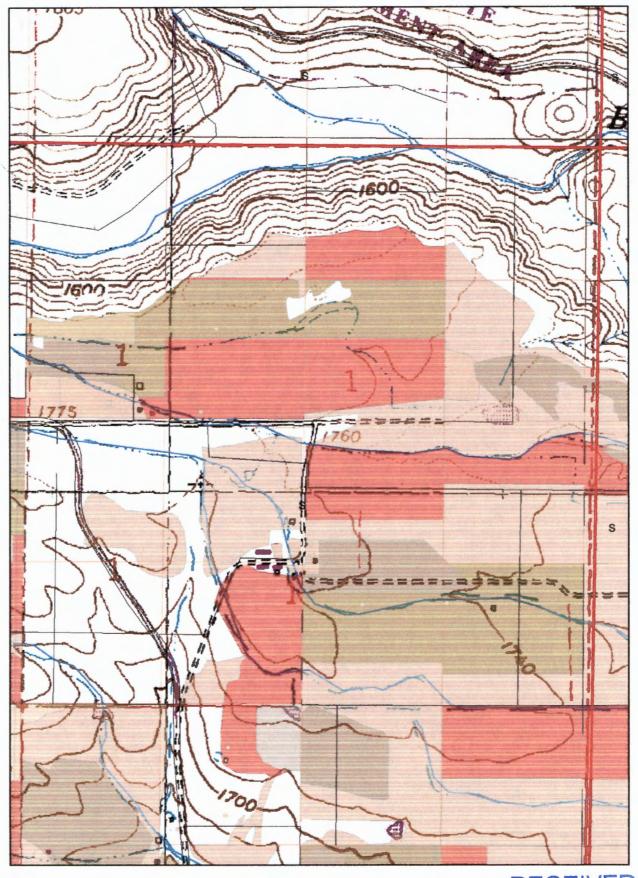


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## T4S R12E Sec 1 POU certificate 46531



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WATER RESOURCES DEPT. SALEM, OREGON

#### **Greg Kupillas**

From: Bob Wood [Robert.L.WOOD@wrd.state.or.us]

Sent: Tuesday, June 20, 2006 11:16 AM

To: phggek@bctonline.com

Subject: RE: Transfer T-9990, McAllister

#### Greg,

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AUG 1 6 2006
WATER RESOURCES DEPT.
SALEM, OREGON

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Permit S-22633 (POU for Cert C26642)

Permit S-27390 (POU for Cert 46368)

Permit S-33228 (POU for Cert 51486)

Permit S-39616 (POU for Cert 51487)

Please let me know if you can help, and provide any relevant maps you have.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

Robert Wood Watermaster, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2650 http://oregon.gov/OWRD Robert.L.WOOD@wrd.state.or.us RECEIVED

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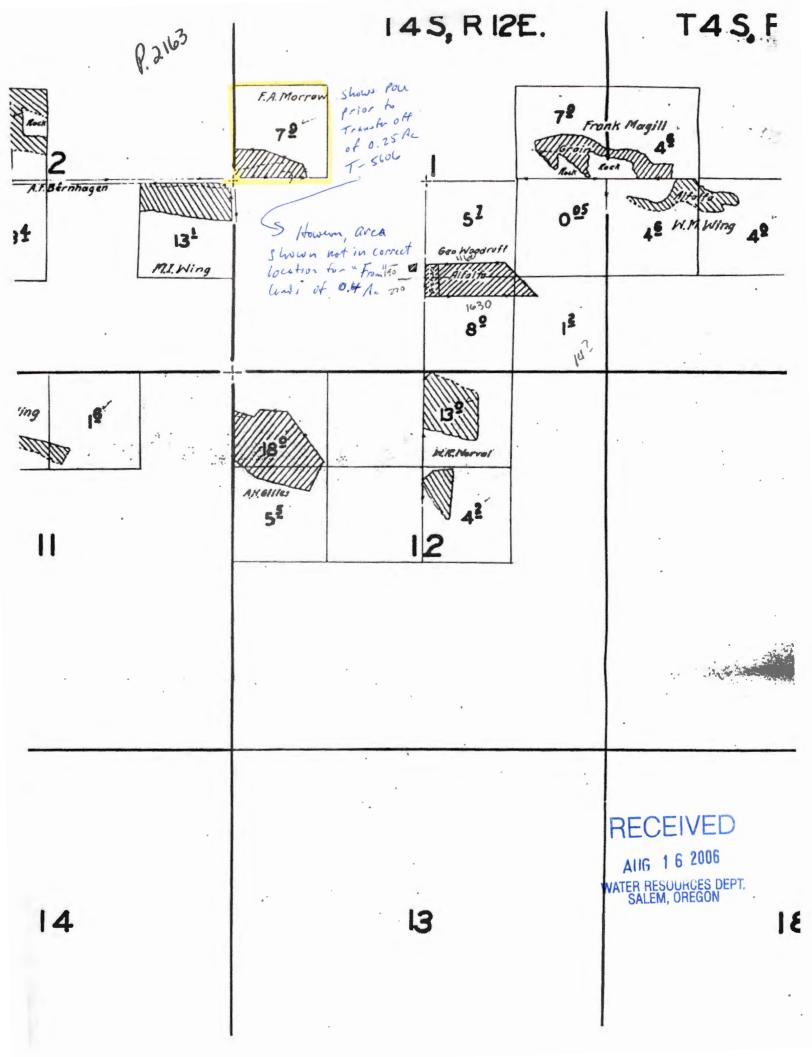
WATER RESOURCES DEPT. SALEM, OREGON

Robert Wood Watermaster, District 3 2705 E 2nd Street
The Dalles, OR 97058
(541) 506-2650
<a href="http://oregon.gov/OWRD">http://oregon.gov/OWRD</a>
Robert.L.WOOD@wrd.state.or.us

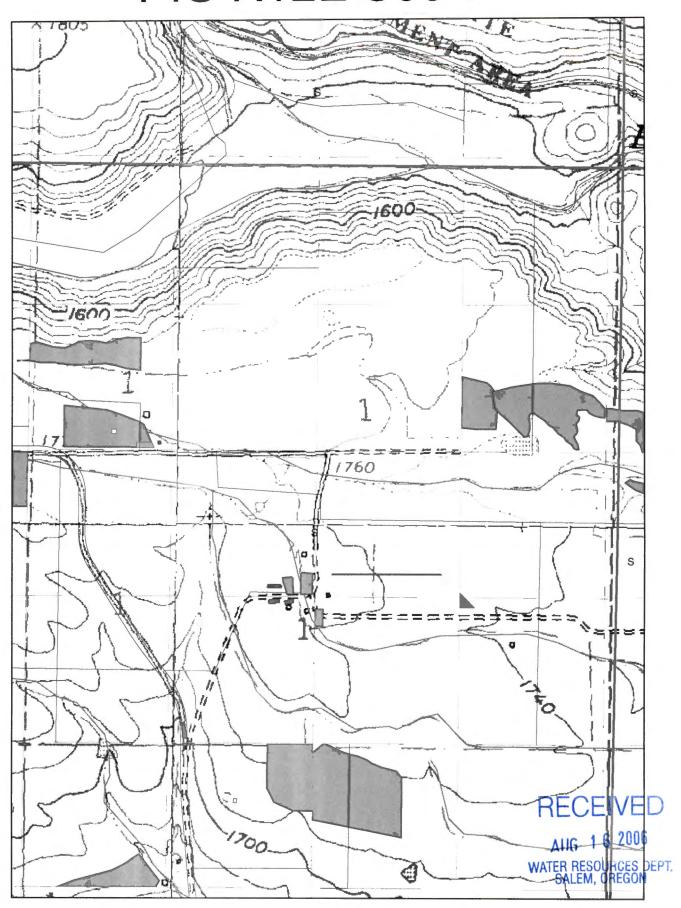
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WATER RESOURCES DEPT.
SALEM, OREGON



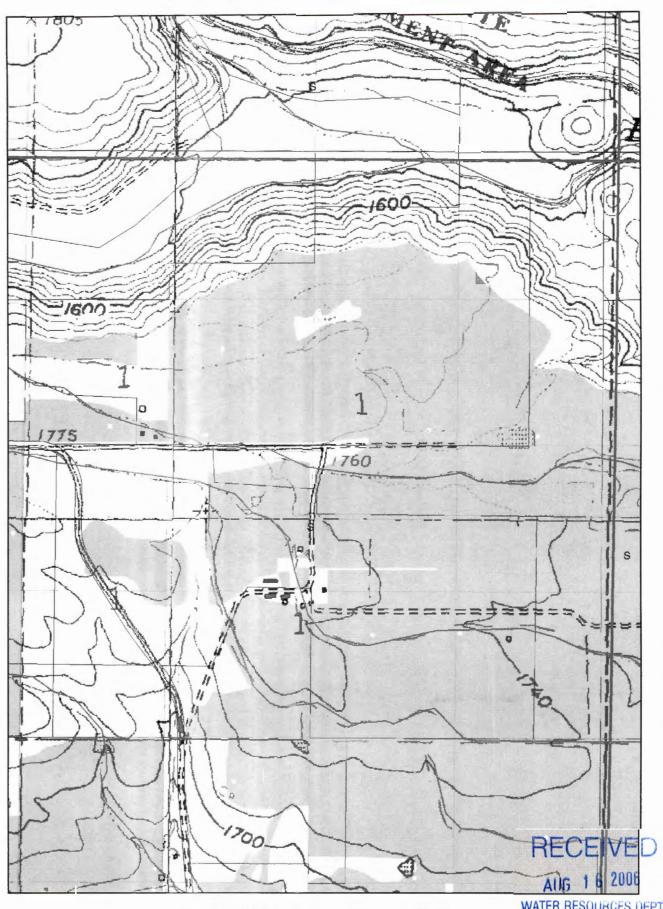
## T4S R12E Sec 1 Lake OK



Certificate 46368 Supplemental

# T4S R12E Sec 1

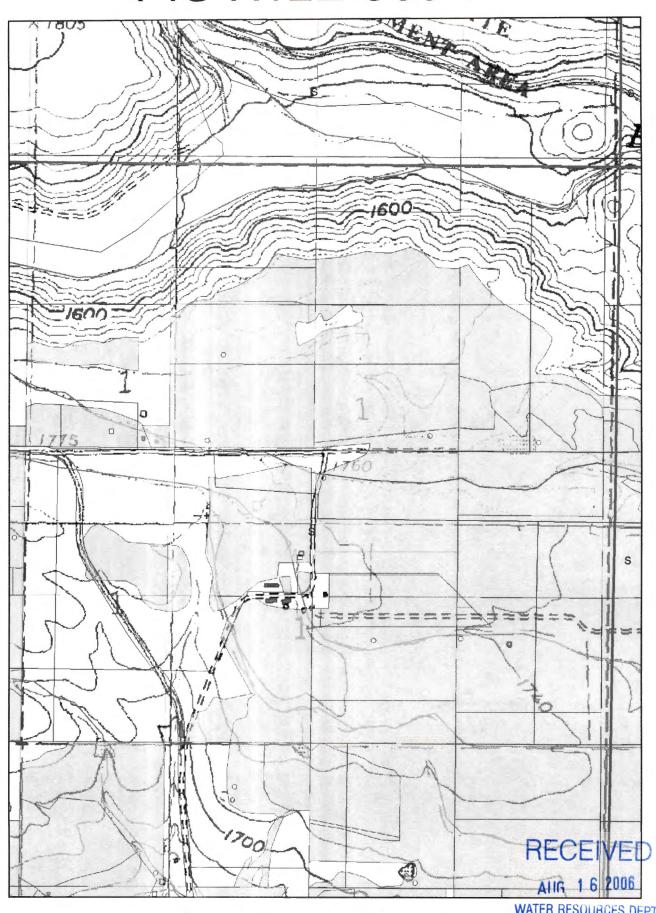
Looks OK



Certificate 51486

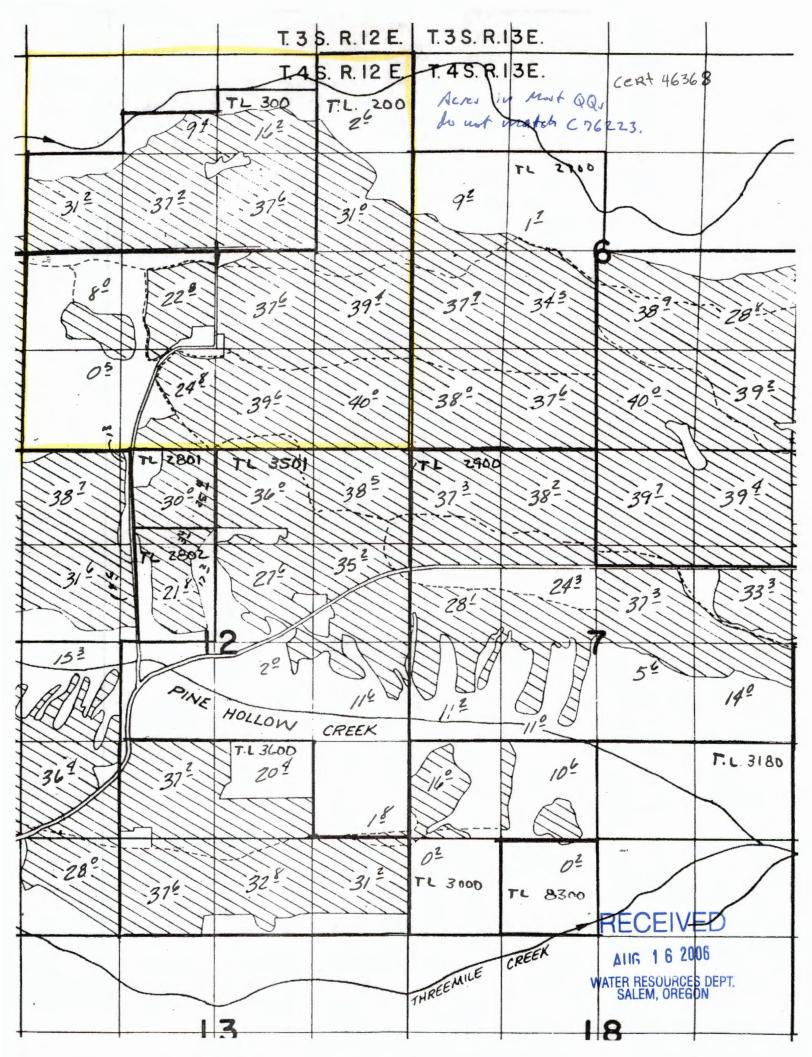
WATER RESOURCES DEPT, SALEM, OREGON

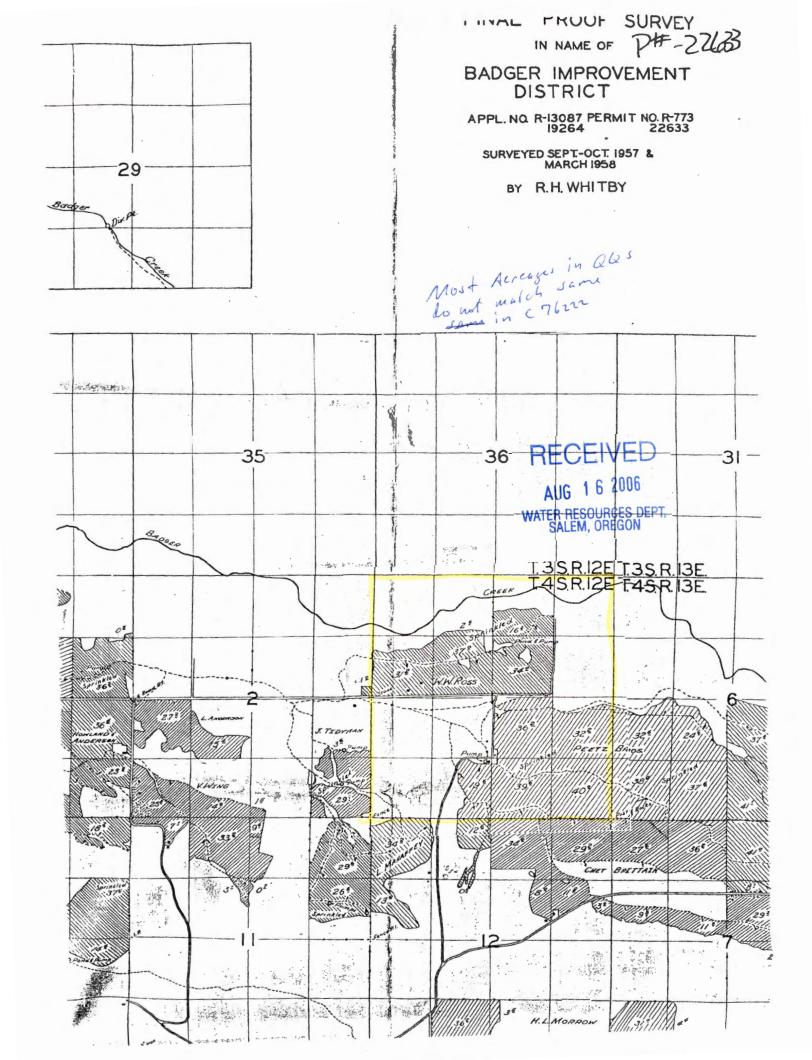
# T4S R12E Sec 1 Larks OK



Certificate 51487

WATER RESOURCES DEPT. SALEM, OREGON





### Memorandum

To: Ribe		Page/_ of _/
From: 62		Date: 7/14/06
Project: Mc Allis K	T-1710	
		Quantity Start for PD Notes
Certificati	Rate (chs)	Shored Quartity (AF)
7271	0.0375	NA.
46532	0. 187 (0.133 0, 1, 1	nosteli s) NA
80637	0.005	NA
76222	0,138	9.0 RF
76223	NA NA	11.89 AF
51486 51487	WA	(1,88 AF
To tall	0,368 cfs	32.77 AF
0	.314P 0.054S	
		RECEIVED
		AUG 1 6 2006
		WATER RESOURCES DEPT. SALEM, OREGON
Action		

# Oregon Water Resources Department



State of Oregon Water Resources Department 725 Summer Street NE, Suite A, Salem, OR. 97301-1271

Phone: 503-986-0900 http://www.wrd.state.or.us

### **FAX TRANSMITTAL**

To: Greg Kupillas	Fax Numbe	er: (503) 632-5983
Date: 6/9/06		, including cover sheet
From: Dorothy Peder	Sen Phone: 503	-986-0 <u>890</u>
Comments:		
Grea - I've four	nd the best maps	that seem to be
available for t	he rights involved	in T-9990 and T-10016
Hope Gully it wil	Il give you some	more help than it have maps that
you've had up to	now. If we do	it have maps that
contradict the "Fro	m" maps we'll have	to go with them
DIRECTOR'S OFFICE  • Water Resources Commission	TECHNICAL SERVICES  • Dam Safety	WATER RIGHTS  Water Rights Information

- Legislation and Rules
- Public Information

#### FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

#### NORTHWEST REGION

District 16 Watermaster

#### ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- · Water Development Loan Fund
- Support Services

Fax: 503-986-0903 or 503-986-0904

- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

#### **Dorothy Pedersen**

From:

Greg Kupillas [phggek@bctonline.com]

Sent:

Thursday, June 08, 2006 10:34 AM

To:

'Dorothy Pedersen'

Subject: McAllister Transfers

Dorothy.

I have more or less completed the deliverables for the two McAllister transfers. The only thing I am uncertain about regarding the deliverables is the language I am supposed to add "acknowledging that T-8080, T-9990, and T-10016 are all affecting the right under Certificate 76223, and T-8080 and T-9990 are both affecting the right under Certificates 51486, 51487, 76222 and 80637" as discussed in your e-mail of 5/17/06. I am uncertain whether I am supposed to include this language in the DPD. In your e-mail you indicated I would add this finding in the orders. However, we contractors no longer prepare the final orders because that is now handled by you using the templates. So I am a bit confused about this. If I am supposed to add such language to the DPDs, it would be helpful if you could provide an example. Something like:

This transfer of being processed concurrently with transfer applications, which also affect certificate(s). Upon issuance of final orders for these transfers, vermainew certificates will be issued that reflect And, as we have discussed, I am unable to confirm most of the "From" lands and have also identified a number of changes potential conflicts with the "To" lands which I cannot check because I do not have adequate FPS maps and most due to of these rights are not shown on interactive mapping (or IM is not up to date). I was provided several maps which supposedly represented the water rights for the various certificates involved in the transfers, but only one of the maps actually corresponds with the acreages listed on the certificate. I have made a list of FPS maps that should the information of the informati applications. provide the information I need, if they are available.

#### "From" Lands

T-9990. I would like to be able to view perfected water rights (i.e., FPS maps) in Section 1, T4S, R12E for the C20243 for Permit S-15165 S-13088 (#11-3)

T-5606 for Permit S-2163 S-19264

Villiate R. decree

Transfers 050 NA

D-136 V following certificates or transfers:

C26642 for Permit S-22633

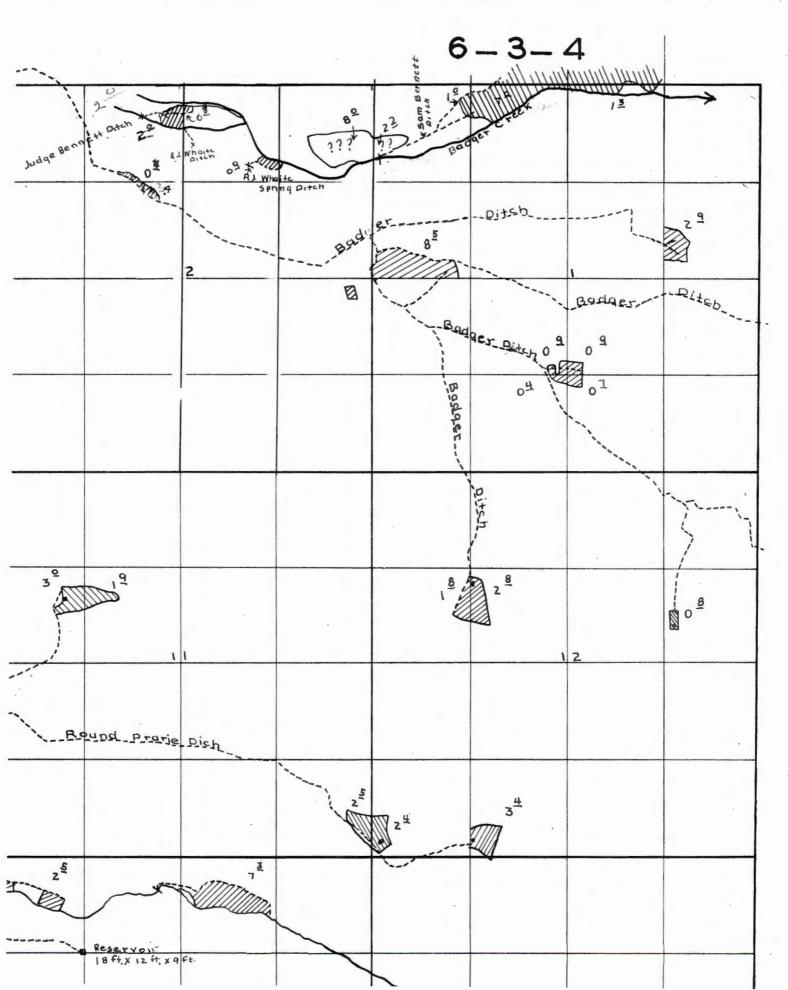
G46368 for Permit S-27390 Atready 3enf

C51486 for Permit S-33228 5-43459:

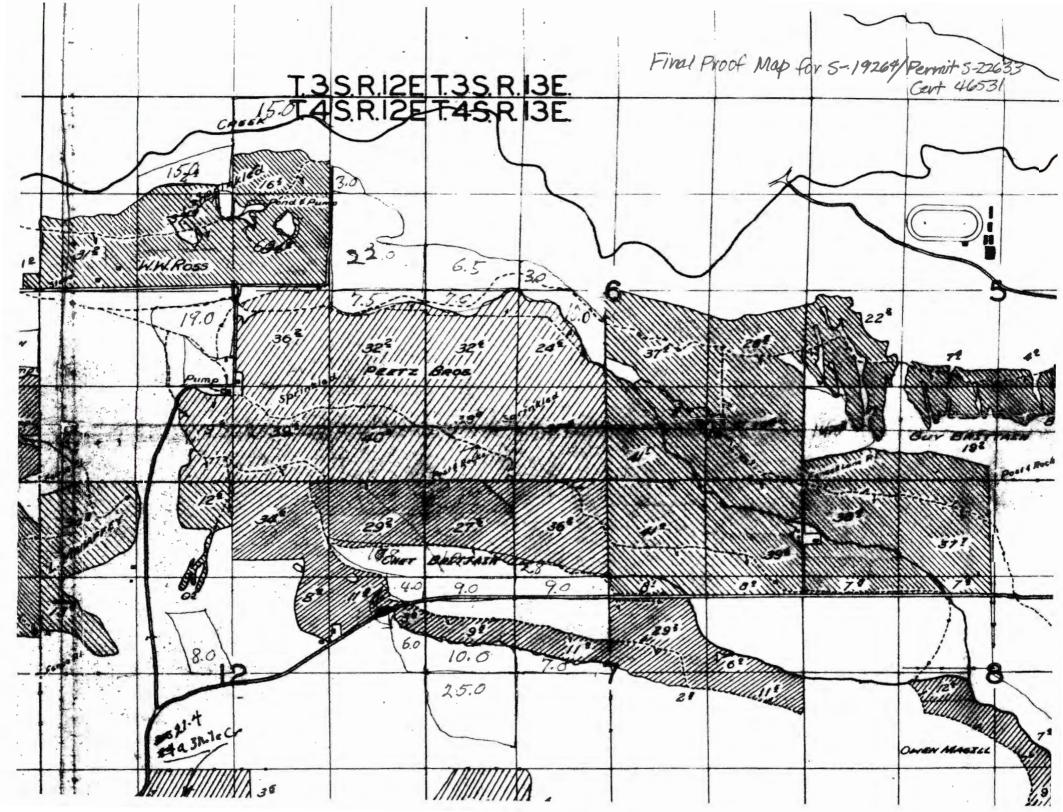
T-4800 NA

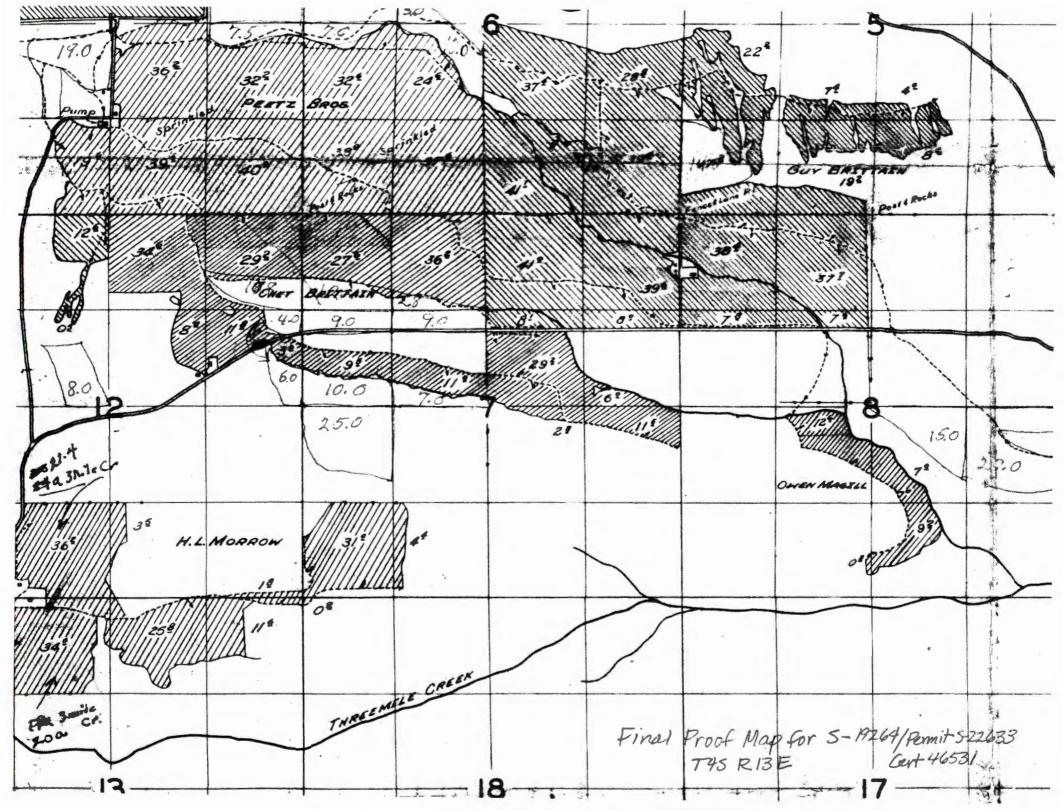
T-8080 - Ken has in Pendleton

6/8/2006

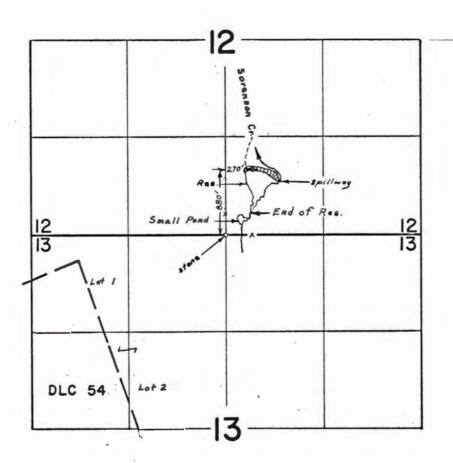


from White River Decree map Tor T45 R13E Brush Foir Ground z º Badger Ritteh Badger Ditsb\_\_\_





## T.5S.R.2E.W.M.



## FINAL PROOF SURVEY

R-43441 R-5263 Application No. 43459 Permit No. 33288 IN NAME OF

WILLARD G. DEARDORFF

Surveyed Nov. 19 1969, by L. E. Gould

Final Proof map for

D-136 + D-137

App 5-19264, Permit 22633 Ear

App 5-13088, Permit 15165

T.4S. R.13 E. W.M.

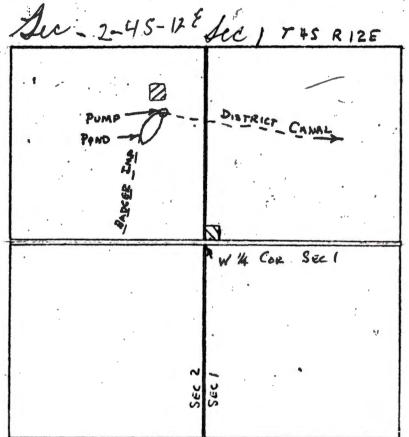
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T-5606.

## ECEIVED

MAR 1 3 1985

WATER RESOURCES DEPT SALEM, OREGON



### RECEIVED

APR 1 1985

WATER RESOURCES DEP SALEM, OREGON

SCALE B"= IMILE

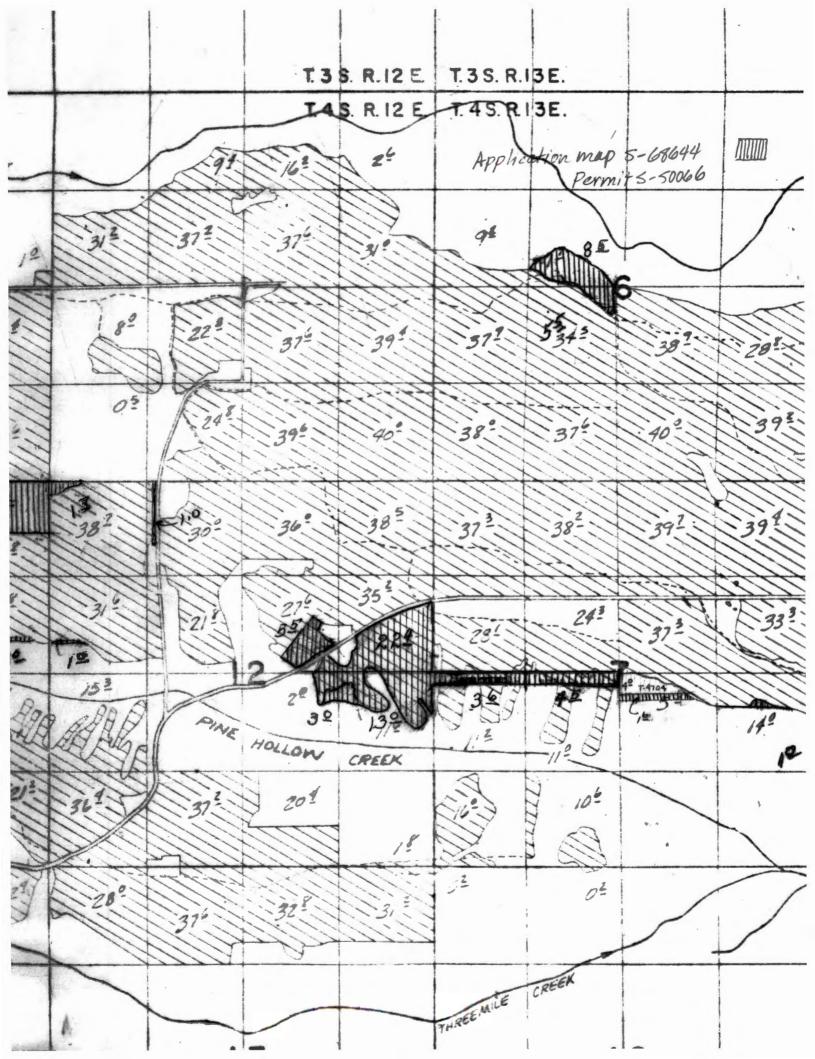


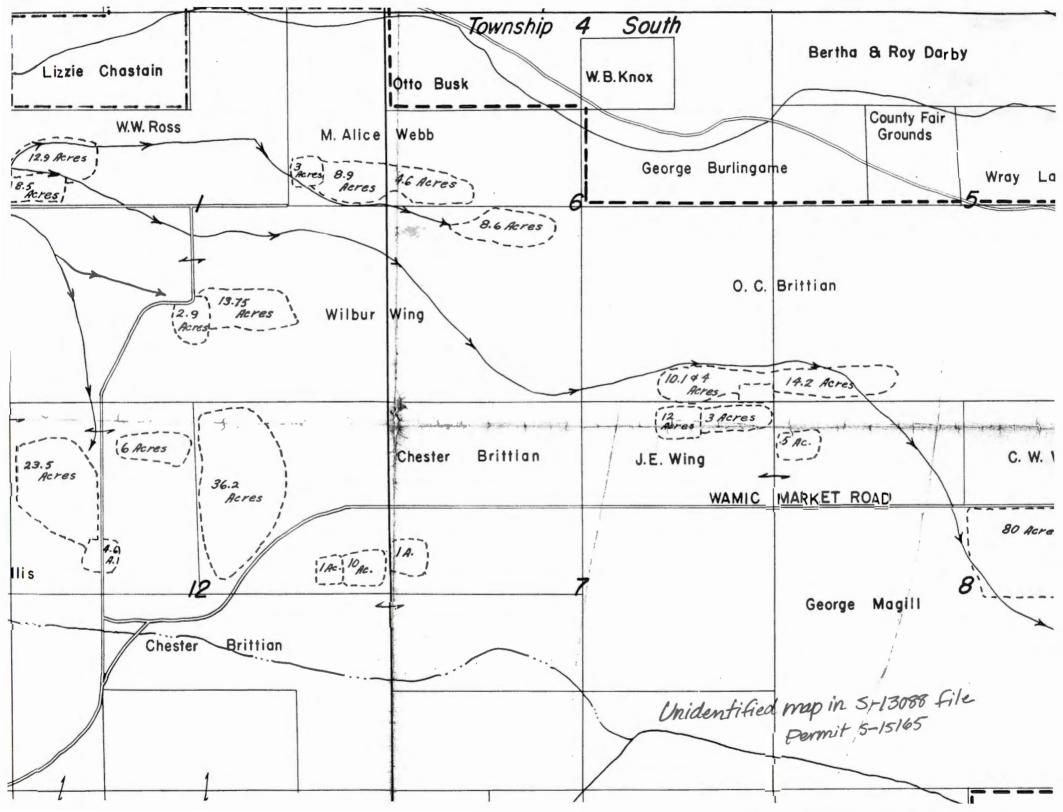
FROM



To

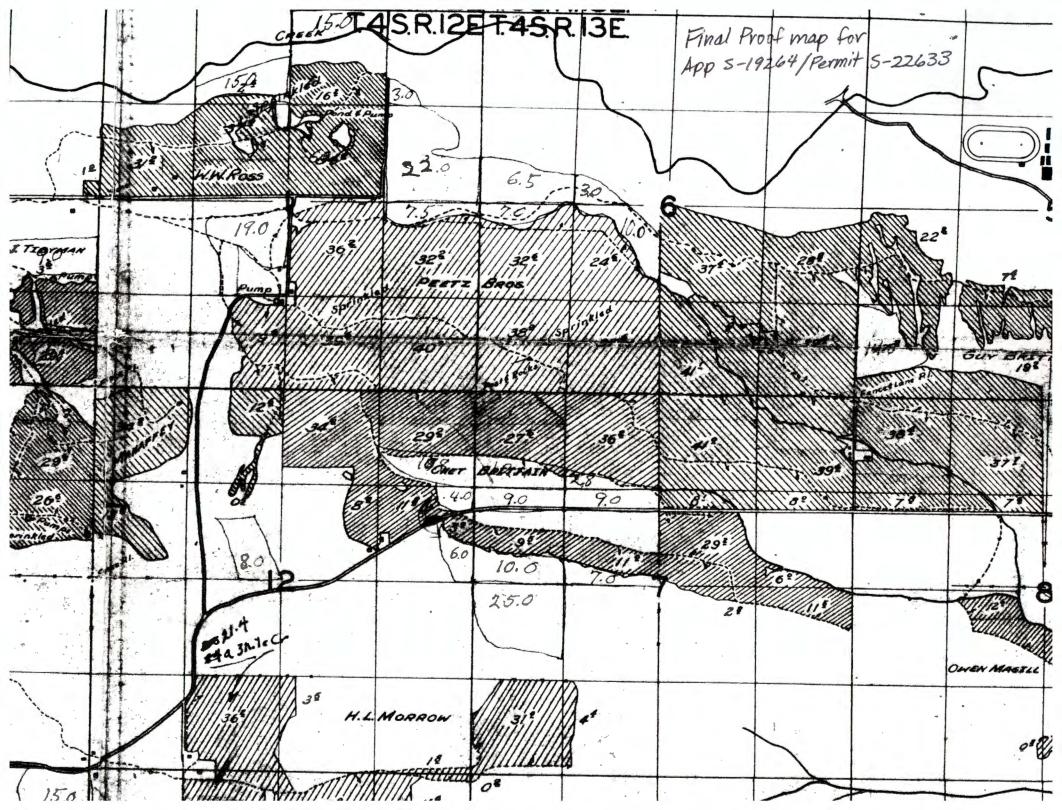
Application map for T-5606 App 5-3843/Permit 2163



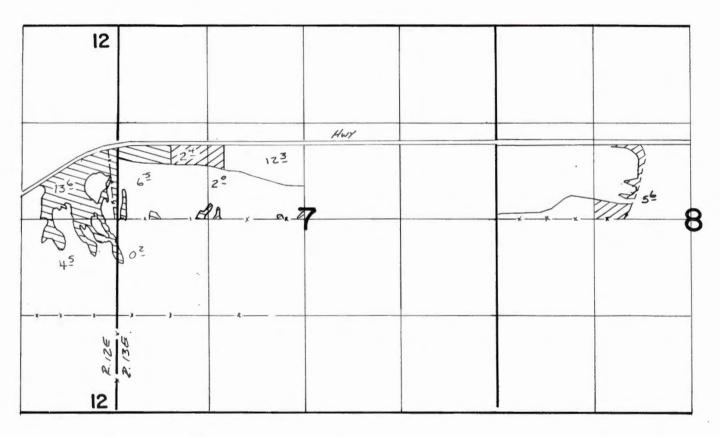


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57 Ac. 191. 5.35 Ac. 192	9	1	10 Ac. 1929 10 Ac. 1929 10 Ac. Sup. 10 Ac. 5Up.	1/25	5
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				1	1
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25.8 5 1.0 C 5133 × 28.3 PISILS		7.9 C. 5385 8.5 6 5733 50 C- 1221	15.0	150	3.0 8 5733 100 P 1#866
X 2.5		8.6	15.5	20-	H.O P/15165
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12.5 8 154651 14.145	300		15.1 P=151651	0.7465733V	1.2 P 15165
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				20.09	
4.2 653851 7.9 6 5385 16 65385	144	18.0 C 5385	6.0 69529	13.0 0 5385	A
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			1		



## T. 4S., R. 12 & 13E., W. M.







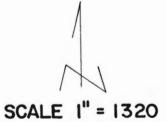
### **FINAL PROOF SURVEY**

**UNDER** 

TRANSFERS 4704, 4957
IN NAME OF

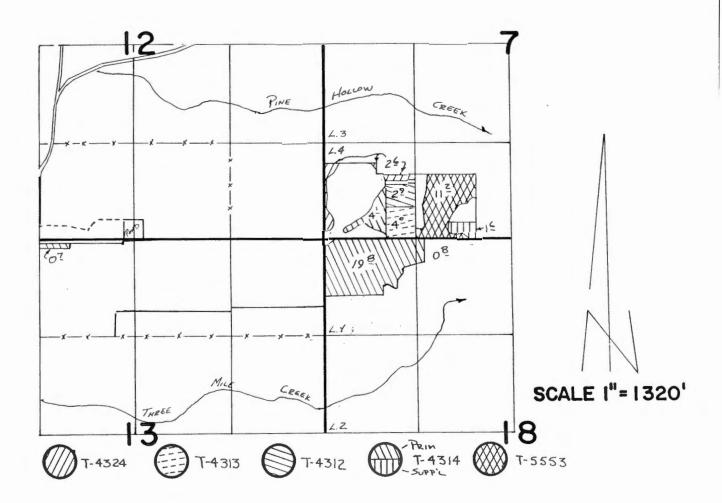
Wm. R. McALLISTER

Surveyed 10-19 1988, by .V.L. Church



41065-472-86

## T. 4S., R. 12 & 13E., W. M.

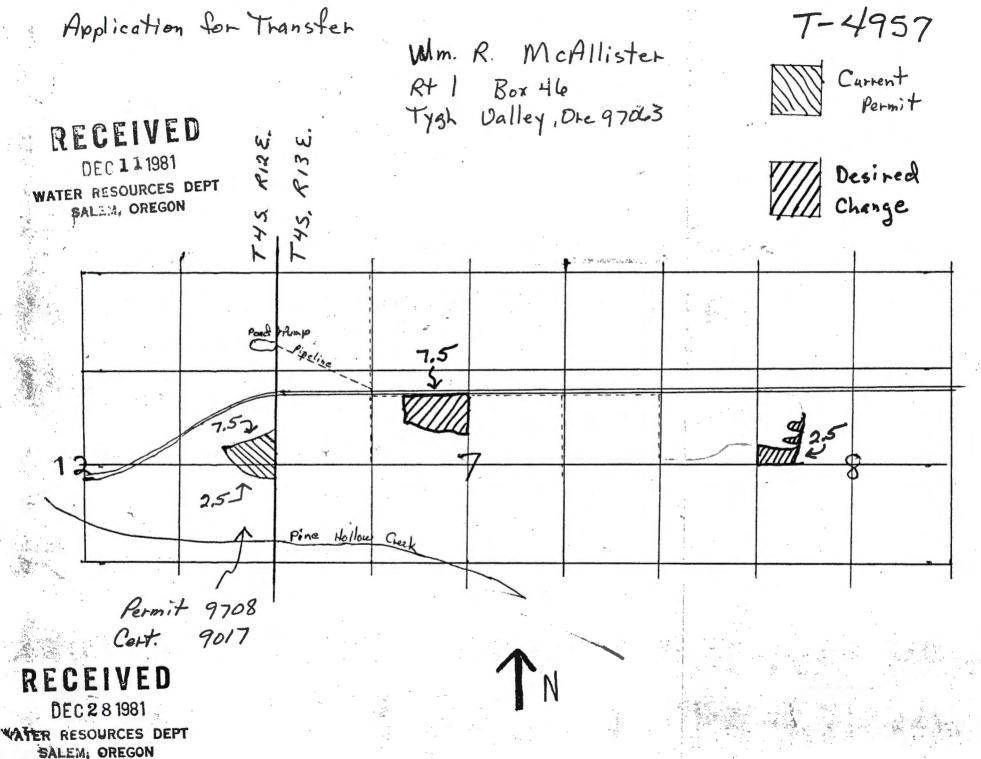


## FINAL PROOF SURVEY

TRANSFERS	4324, 4313, 4312, 4314,	5553
	IN NAME OF	

RAY A BENZEL

Surveyed 10:18 1988, by V.L. Church



- 4957 Application map



REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN: POD

POUUSE

Add'1 POD

Tra	nsfer No.	4704			County Wasco						
01d	Certificate	No. 4	6368								
1.	Name Wm. R. Mc allister										
	Address Rt 1, Box 46, Tygh Valley, OR 97063										
2.	Source of Supply Badger Cat Lake , Trib of										
3.	Use in / 348 ac										
4.	Amount of Water 0.26cts										
5.	Priority Dat	te 3.	-22-191	61							
6.					Ditch						
				O							
7.	Completion I	Date	0-1-8	2							
8.	Place of Use	e:									
	Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made						
	45	the -	ĺŽ	SE NE	13.6ac						
	they were any	13E	7	NW SW	0,2						
			-	5W NW	6.5						
			-	,							
		1			Levey leston						

Into: Wm. R. Ms Allister - Same address -

Spoke w/heron who manages their - who explained system & areas of use.

FOOL: Surplus ditch 400 collects into a pond & then is Floodood onto new place of use.

Use: Pasture

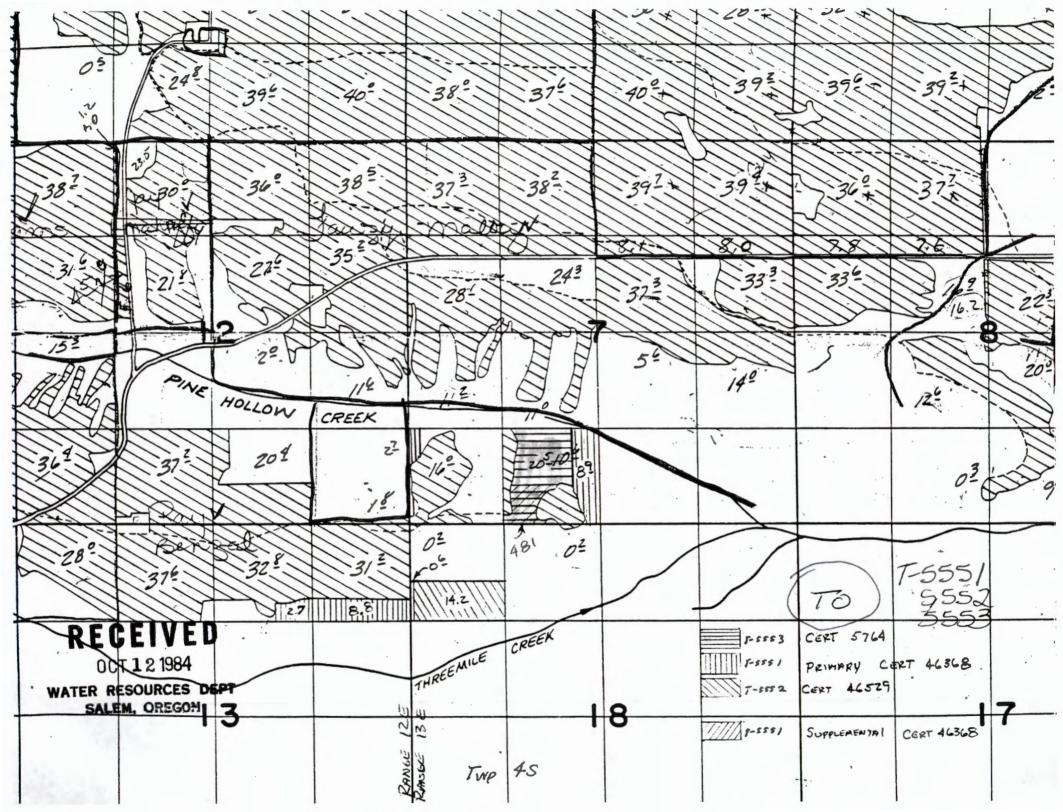
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Note: The surplus is from the land worth of the road. Some of the land in Sec 7 is not orrigated.

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Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

#### May 23, 2006

#### NOTICE OF CERTIFICATE ISSUANCE

Enclosed is the remaining right certificate for T-4313. The certificate describes that portion of the right not modified by the transfer.

If you have any questions please contact Gerry Clark at 503-986-0811.

#### BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

#### WASCO COUNTY

IN THE MATTER OF THE APPLICATION)
OF IRL DAVIS, JR. FOR APPROVAL )
OF A CHANGE IN PLACE OF USE OF )
MATER )

ORDER APPROVING TRANSFER NO. 4313

On October 18, 1979, an application was filed in the office of the Water Resources Director by Irl Davis, Jr. for approval of a change in place of use from Badger Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 46532, Volume 39, State Record of Water Right Certificates, in the name of Badger Improvement District, describes a right for the use of not to exceed 24.0 cubic feet per second from Badger Creek and reservoir for irrigation and supplemental irrigation of, among other lands, a certain 4.0 acres in the SW4 NW4 of Section 3, Township 4 South, Range 12 East, W. M., with a date of priority of October 21, 1929.

Nater for the said right is diverted, through the Badger Ditch, from points located 400 feet North and 800 feet East from the Southwest Corner of Section 16, being within the SW4 SW4 of Section 16, Township 3 South, Range 10 East, N. M., and 1290 feet South and 550 feet West from the Center of Section 29, being within the NE4 SW4 of Section 29, Township 3 South, Range 11 East, N. M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 4.0 acres in SW4 SW4 of Section 7, Township 4 South, Range 13 Bast, W. M.

Mr. Thomas J. Paul, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water used shall not exceed 0.2 cubic foot per second from Badger Creek for irrigation and 0.08 cubic foot per second from Badger Lake reservoir for supplemental irrigation, and shall be further limited to one acre foot per acre during any 30 day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, that the rate of flow shall not exceed one-fortieth of a second foot per acre up to July 1st of each year and thereafter not to exceed one-eightieth of a second foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources
Director of completion of works and beneficial use of water to the extent intended
under the provisions of this order the certificate of water right heretofore issued
to Badger Improvement District and recorded at page 46532, Volume 39, State Record of
Water Right Certificates, be canceled, and in lieu thereof a new certificate of
water right be issued in the name of Badger Improvement District.

Dated at Salem, Oregon this 27th day of November, 1979.

Director

James E.

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 the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 478.3 ACRES AND SUPPLEMENTAL IRRIGATION of 650.72 ACRES, DOMESTIC AND STOCK USE.

This right was perfected under Permit 15165. The date of priority is OCTOBER 21, 1929. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 23.72 CUBIC FEET PER SECOND (cfs), being 11.86 cfs from Badger Creek for irrigation, 11.72 cfs from Badger Lake Reservoir for supplemental irrigation, and 0.14 cfs from Badger Creek for domestic and stock use, or its equivalent in case of rotation, measured at the points of diversion from the source.

The point of diversion is located as follows:

SW % NE %, SECTION 32, T 3 S, R 11 E, W.M.

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 not to exceed one acre foot per acre during any 30 day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, the rate of flow shall not exceed ONE-FORTIETH of a second foot per acre up to July 1st of each year and thereafter not to exceed ONE-EIGHTIETH of a second

foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

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:

#### PRIMARY - BADGER CREEK

SW	1/4	SW	¼ €CT	4.0 ION 33	ACRES		SE				20.0 FION 7	
				12 E,								
		,					SW	1/4	SW	3/4	8.0	ACRES
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		C	EC	TTON 2								
T	4	S,	R	11 E,	W.M.		NW	1/4	NW	1/4	5.0	ACRES
							SW	1/4	SE	1/4	7.0	ACRES
SW	1/4	NE	1/4	15.0	ACRES		SE	1/4	SE	1/4	6.5	ACRES
SW	1/4	NW	1/4	8.6	ACRES				S	EC.	rion 9	
SE	1/4	NW	1/4	15.0	ACRES							
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SE	1/4	SE	1/4	30.0	ACRES		NE	1/4	SE	1/4	7.3 10.6	ACRES
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							NE	1/4	NW	1/4	10.0	ACRES
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SE ½ NW ½ 15.0 ACRES SECTION 5 SECTION 7

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NE ¼ NE ¼ 14.2 ACRES NW ¼ NW ¼ 10.0 ACRES NE ¼ NW ¼ 26.8 ACRES SE ¼ NW ¼ 5.0 ACRES NW 1/4 NW 1/4 10.0 ACRES SECTION 8 T 4 S, R 13 E, W.M.

#### SUPPLEMENTAL - BADGER LAKE RESERVOIR

SW ½ SW ½ 4.00 ACRES SE ½ SE ½ 14.14 ACRES SECTION 33

T 3 S, R 12 E, W.M.

SE 1/4 SE 1/4 10.38 ACRES SECTION 2

NW 1/4 NE 1/4 8.00 ACRES SECTION 12 T 4 S, R 11 E, W.M.

SW ¼ NE ¼ 15.00 ACRES SW ¼ NW ¼ 11.52 ACRES SE ¼ NW ¼ 15.00 ACRES NW ¼ SE ¼ 5.35 ACRES SW 1/4 SE 1/4 28.00 ACRES SE 1/4 SE 1/4 31.00 ACRES SECTION 1

SW 1/4 NW 1/4 25.80 ACRES SE % SW % 14.14 ACRES NE ¼ SE ¼ 20.76 ACRES SECTION 2

NW 1/4 NE 1/4 5.00 ACRES SW ¼ NE ¼ 27.26 ACRES NE ¼ NW ¼ 15.00 ACRES NE % SE % 18.14 ACRES NW 1/4 SE 1/4 6.00 ACRES SE 1/4 SE 1/4 7.00 ACRES SECTION 3

SE ¼ NW ¼ 11.72 ACRES SECTION 4

NE ¼ NE ¼ 13.00 ACRES SE ¼ NW ¼ 10.38 ACRES SECTION 5

SW ¼ NW ¼ 7.00 ACRES SE ¼ NW ¼ 2.00 ACRES

NE ¼ SW ¼ 8.95 ACRES SE ¼ SE ¼ 16.22 ACRES SECTION 7

SW ¼ SW ¼ 8.00 ACRES NW ¼ SE ¼ 12.45 ACRES SECTION 8

NW 1/4 NW 1/4 4.00 ACRES SW ¼ SE ¼ 7.00 ACRES SE ¼ SE ¼ 6.50 ACRES SECTION 9

SW ¼ NE ¼ 5.33 ACRES NE ¼ SE ¼ 7.00 ACRES NW ¼ SE ¼ 10.00 ACRES

NE ¼ NW ¼ 17.00 ACRES NW ¼ SW ¼ 10.00 ACRES SW 1/4 SW 1/4 3.00 ACRES SECTION 11

SW 1/4 NE 1/4 15.10 ACRES NW 1/4 NW 1/4 14.76 ACRES SW 1/4 NW 1/4 6.00 ACRES SE ¼ NE ¼ 7.50 ACRES NE ¼ SE ¼ 2.50 ACRES SECTION 12

NW % NE % 8.00 ACRES NE ¼ NW ¼ 4.00 ACRES SECTION 13

NW ¼ NW ¼ 7.26 ACRES SECTION 15

NE ¼ NE ¼ 1.70 ACRES SECTION 18 T 4 S, R 12 E, W.M.

SW % SW % 11.00	ACRES	NE 3	4 NE	1/4	9.40	ACRES
SE ¼ SW ¼ 3.00	ACRES	NE 3	4 NW	1/4	26.80	ACRES
SECTION 5				SECTI	ON 7	
NE ¼ SE ¼ 10.00	ACRES	NW 1	4 NW	1/4	20.00	ACRES
NW ¼ SE ¼ 10.00	ACRES	SE 3	4 NW	1/4	4.00	ACRES
SE ¼ SE ¼ 20.00	ACRES	SW 1	4 NE	1/4	28.66	ACRES
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		т	4 9	P 1	3 E W	M

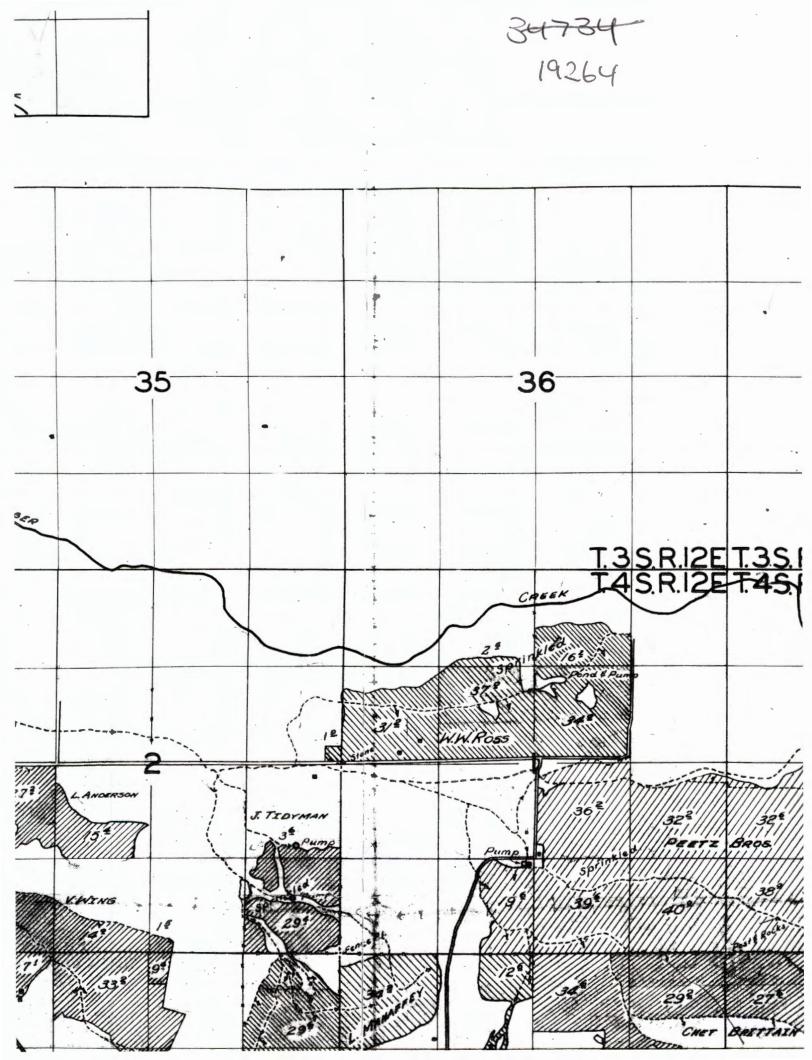
This certificates describes that portion of the water right confirmed by Certificate 46532, Volume 39, State Record of Water Right certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 27, 1979, approving Transfer 4313.

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.

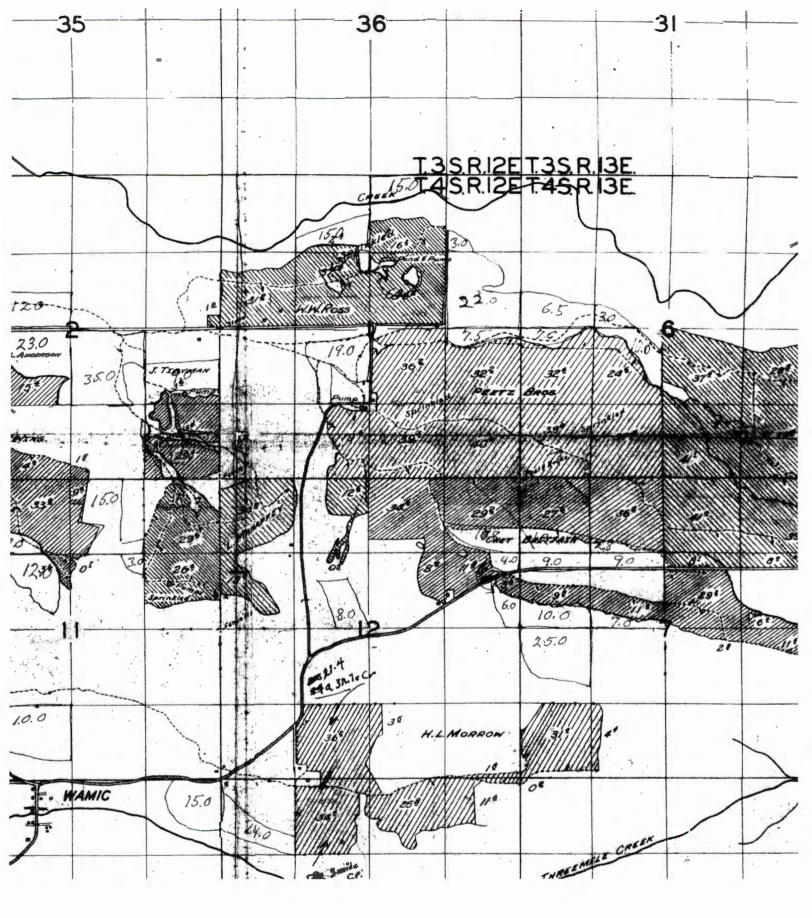
The right to use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed May 23, 2006.

Phillip C. Ward, Director Water Resources Department



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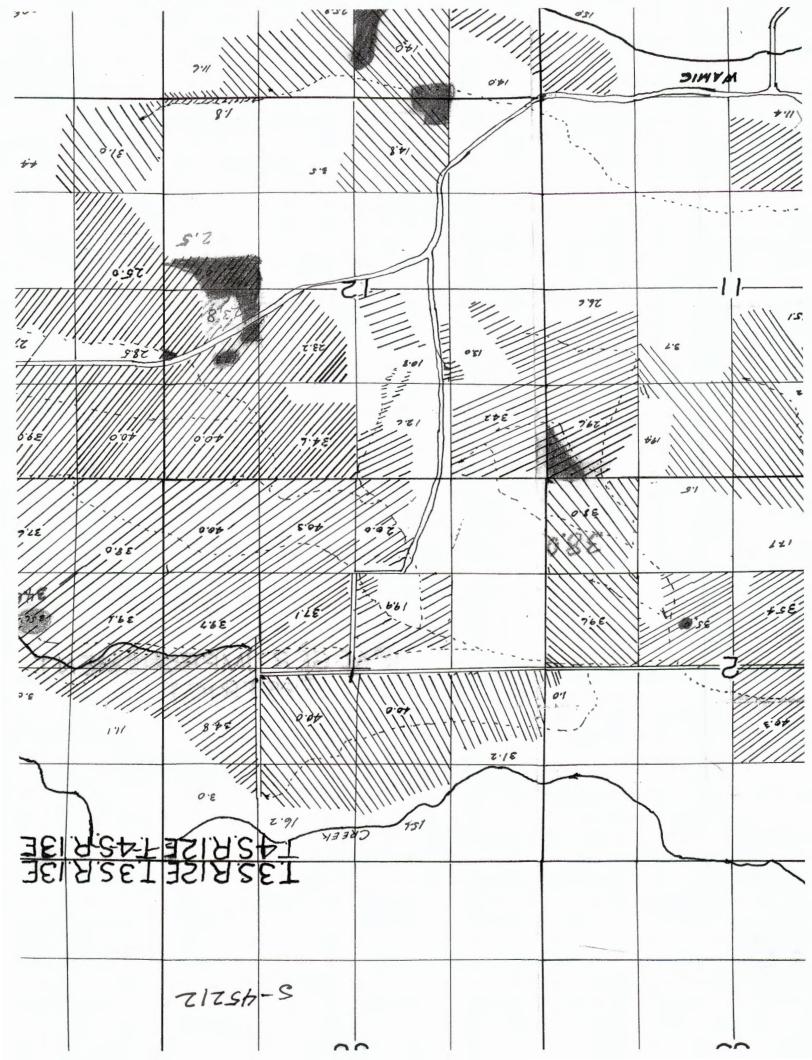
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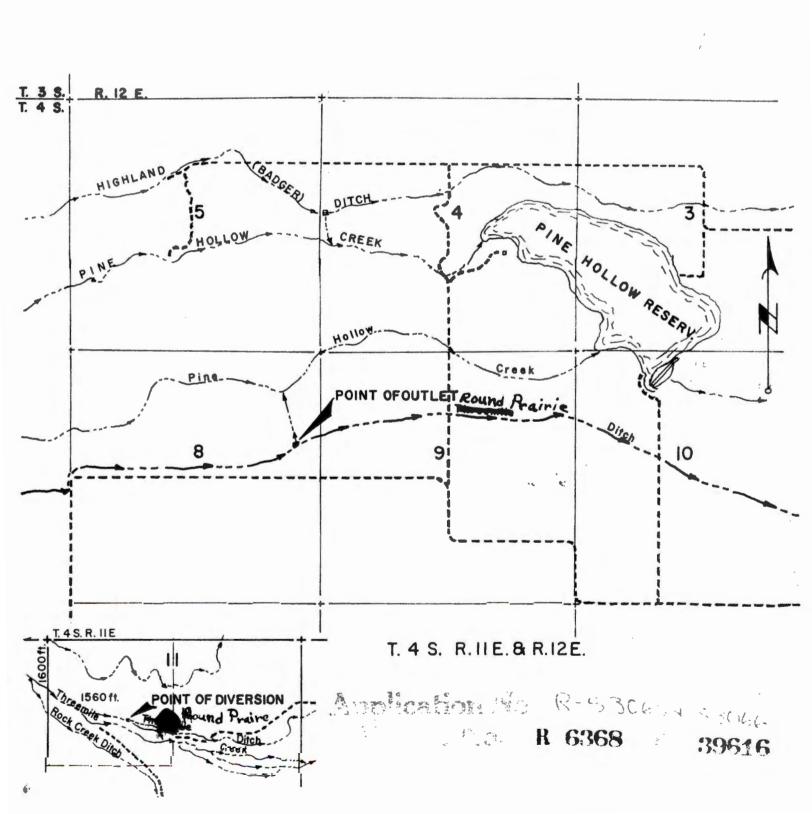
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# PINE HULLOW COUPERATIVE INC.

ROUTE | BOX 94 TYGH VALLEY, ORE.



## Oregon Water Resources Department



State of Oregon Water Resources Department 725 Summer Street NE, Suite A, Salem, OR. 97301-1271

Phone: 503-986-0900 http://www.wrd.state.or.us

#### **FAX TRANSMITTAL**

· ·		
To: Greg Kupillas	Fax Numl	ber: <u>(503)</u> 632-5983
Date: 9/21/06	Pages:	7 , including cover sheet
From: Dorothy Peder	Phone: 50	3-986-0 <u>890</u>
Comments:		
Response to T-99	90 DPD. Please revie	er landownership consent
and lienholder not	ification issues. and	e mal I'll take care
of adding a finding	ea reparding the dome	estic use let me
know if the land	owner/lienholder reg	ouirements are met, or
what is still need	led. Then submit	+ your invoice for T-9990,
DIRECTOR'S OFFICE	TECHNICAL SERVICES	WATER RIGHTS
Water Resources Commission	Dam Safety	Water Rights Information
Legislation and Rules     Public Information	Enforcement     Ground Water	Adjudications     Hydroelectric
• Public information	I • CHOHIO WAIGE	I Truitoelectifc

#### FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

#### NORTHWEST REGION

· District 16 Watermaster

#### ADMINISTRATIVE SERVICES

- · Fiscal / Accounting
- · Human Resources / Personnel
- · Water Development Loan Fund
- Support Services

Fax: 503-986-0903 or 503-986-0904

- Information Services
- GIS/Mapping
- · Water Use Reporting

Fax: 503-986-0902

- · Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Greg Nupilias [pnggek@pctonline.com] rrom: Friday, August 11, 2006 11:32 AM Sent: To: 'Dorothy Pedersen' RR Certs for McAllister T-9990 Subject: Attachments: 9990-RR7221.doc; 9990-RR46532.doc; 9990-rr76222.doc; 9990-10016-rr76223.doc; 9990-RR51486.doc; 9990- rr51487.doc; 9990-RR80637.doc --> Dorothy, Finally, (drum roll...) the remaining right certificates for T-9990 (and this time with the files actually attached!). They still probably need some format tweeking. Also, I was not able to change the footer on some of them because they were somehow locked in on some of the templates you sent. Besides, I did not know which transi number to reference or whose initials to use. I figured that would be an easy fix for you or one of the word processors. I noted that the RR template I got for C51487 included a description for the POD associated with Pine Hollow Reservoir, while the original certificate did not. Not sure if this is a concern or not. Please let me know if you have any comments or questions or need anything else. I plan on visiting the Department some time next week and will use that opportunity to hand over the final deliverables. Regards, Greg Kupillas, R.G., C.W.R.E. Pacific Hydro-Geology Inc. 18477 S. Valley Vista Rd. Mulino, OR 97042

503.632.5016

fer		
,		

From:

Greg Kupillas [phggek@bctonline.com]

Sent:

Friday, July 14, 2006 11:21 AM

To:

'Dorothy Pedersen'

Subject:

Revised DPD and PD Notice for McAllister T-9990

Attachments: 9990-dpd-rvsd-071406.doc; 9990-pd-notice-rvsd-071406.doc

-->

Dorothy,

The revised subject documents are attached for your review. Please let me know if you need anything else. Malia is visiting the Department today and will submit the final hard copy deliverables for McAllister T-10016.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

#### **Reimbursement Authority Process Itemized Estimate Sheet** for Water Rights Transfer

Application Number T-9990

Name of Applicant: McAllister Ranches

#### **Proposed Timeline**

8/16/05	Public Notice (start of 30-day comment period).
5/22/06	Completion of draft preliminary determination—I week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
6/27/06	Deadline for applicant review of draft preliminary determination—30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)—within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

	Estimate		Revised
	Item	Time	
l	Review of application for completeness.	25	1.5
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	X	8.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	25	4.0
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	X	3.0
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	X.	4.0
	Total Estimated Time:	14	20.5

(Indicate the estimated amount of time, in 1/2 hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Pacific Hydro-Geology

Name of Consultant: Pacific Hydro-Ocology

Authorized Representative: Sup. 2 9 Date: 5/2/06

Revised 7/13/06

From:

Dorothy Pedersen [Dorothy.I.PEDERSEN@wrd.state.or.us]

Sent:

Monday, July 10, 2006 9:58 AM

To:

'phggek@bctonline.com'

Cc:

Salem.B.OPEIFA@wrd.state.or.us

Subject:

RE: McAllister Transfers (T-10016 and T-9990)

Attachments: 8080RR80637.doc; 8080RR51486.doc; 8080rr76222.doc; 8080rr76223.doc; 8080

rr51487.doc; 82086 POU Table.doc

#### Hi Greg.

I have attached the remaining right certificates generated by WRD staff to take into account the effects of T-8080 for Certificates 76223, 80637, 76222 and 51486 and 51487. You can modify them to take off what is affected by T-10016 and T-9990. Then you will need to generate remaining right certificates for 7221 and 82086. I have attached the place of use tables for 82086 so you can just paste them in and delete the portions affected by the transfer.

Go ahead and figure the additional time you will need to complete the projects, and work with Salem to request the additional money.

Thanks. Dorothy

**Dorothy Pedersen** (503) 986-0890

From: Greg Kupillas [mailto:phggek@bctonline.com]

Sent: Friday, June 30, 2006 12:35 PM

To: 'Dorothy Pedersen' **Subject:** McAllister Transfers

-->

Dorothy.

I have so far spent 9.5 hours on T-10016 and 17 hours on T-9990. I budgeted 11 hours for T-10016 and 14 hours for T-9990. The budgeted hours included estimates of time for preparing remaining rights certificates. For T-10016, I estimated one hour for the RR Cert. For T-9990, I estimated 5.75 hours for RR Certs. This means I probably have enough time remaining to complete T-10016, but I am already 3 hours over budget on T-9990. In order to cover the additional time spent confirming the "From" and "To" lands, and estimated time to complete the RR Certs for T-9990, I would need an additional 8.75 hours. If I can get good te and es for some of the RR Certs, I might not need 5.75 hours to complete them. Please let me know how you want to proceed.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc. 18477 S. Valley Vista Rd. Mulino, OR 97042 503.632.5016

From: Greg Kupillas [phggek@bctonline.com]

Sent: Friday, June 30, 2006 12:35 PM

To: 'Dorothy Pedersen'
Subject: McAllister Transfers

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Dorothy,

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Regards,

Have RR certs for -76223, 80637, 76222, 51486, 51487

Need to generate rr certs for - 7221, 82086, 87487

Greg Kupillas, R.G., C.W.R.E.

Need to send Portable

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

From:

Greg Kupillas [phggek@bctonline.com]

Sent:

Wednesday, June 21, 2006 4:04 PM

To:

'Bob Wood'

Cc:

'Dorothy Pedersen'

Subject:

RE: Transfer T-9990, McAllister

Follow Up Flag: Follow up

Due By:

Thursday, June 22, 2006 12:00 AM

Flag Status:

Red

-->

Bob.

Thanks for providing the maps. Some were helpful and some were duplications of others I have already been provided. Of the six maps you provided, four were useful. All of the GIS maps you provided were helpful.

Issues remain regarding the current lands covered by the following three water rights proposed for transfer:

Certificate 80637, Permit S-2163

Certificate 46532, Permit S-15165

Certificate 76222, Permit S-22633

One of the problems is that these certificates are for remaining rights; therefore, there are no FPS maps to show the locations of the remaining covered lands. I have done enough background research to figure out which original certificates should, in theory, have FPS maps that would be representative of the lands in question. They are as follows:

FPS for Certificate 20243 (Permit S-15165)

FPS for Certificate 26642 (Permit S-22633)

FPS for Certificate 5385 (Permit S-2163)

The map for permit S-2163 you provided appears to be consistent with Cert 80637 (in terms of the list of acres within each QQ section); however, the lands shown on the map do not appear to cover the "From" lands proposed in Transfer T-9990. Additionally, the map you provided for Permit 22633, which is presumably the FPS map for Certificate 26642 (the original certificate for Permit 22633), does not show the same acres in the QQ sections of interest (specifically the SW NW and SE NW of Section 1, T4S, R12E.), as well as other QQ sections, as listed in either Certificate 26642 or Certificate 76222. If the acres shown on the map do not match the acres listed in the relevant certificate(s), the reliability of the map becomes suspect and we cannot verify where the water rights are actually located.

I suspect that Larry Toll, who I understand is the former Water Master in the area, must have some basis for the proposed "From" lands. Perhaps we need to ask him to provide the evidence for the actual locations of the "From" lands. Please let me know what you think.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

----Original Message----

From: Bob Wood [mailto:Robert.L.WOOD@wrd.state.or.us]

Sent: Tuesday, June 20, 2006 11:16 AM

To: phggek@bctonline.com

Subject: RE: Transfer T-9990, McAllister

#### Greg.

Attached are the maps you requested. Some are scanned copies of the maps I have here in my office, some are from an ArcGIS project that the previous watermaster, Larry Toll, made before he retired. I did a quick check of the ArcGIS maps to see if the acreages looked about right compared to the certificates, but without a more thorough research, I'm not sure how accurate the ArcGIS maps really are Hopefully, this will give you what you need. Let me know if you have any questions.

Bob Wood

At 02:50 PM 6/15/2006, you wrote:

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----Original Message----

From: Bob Wood [ mailto:Robert.L.WOOD@wrd.state.or.us]

**Sent:** Thursday, June 15, 2006 8:53 AM

To: phggek@bctonline.com

Subject: Re: Transfer T-9990, McAllister

Hi Greg,

I will see what I can do. I'll try to have something for you by the 1st part of next week, if not sooner.

**Bob Wood** 

At 10:40 AM 6/14/2006, you wrote:

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Bob,

I am the contractor who is processing the subject transfer through the reimbursement authority program. As I'm sure you're aware, one of the things we need to do to approve a transfer is to confirm that the "From" lands specified in the transfer application are actually covered by the water rights proposed for transfer. Additionally, we have to confirm that there are no conflicts with the proposed "To" lands. In order for me to complete these two tasks satisfactorily, I need to be able to see maps showing the actual locations of the affected water rights on the "From" lands, as well as maps showing the actual locations of potential conflicting water rights on the "To" lands. So far, I have been unable to obtain adequate maps from the Department for some of the water rights affected by this transfer. I understand you may have some GIS maps prepared by others that accurately show the current distribution of water rights covering the lands of concern. Specifically, I am looking for maps that show the current POUs in Section 1, T4S, R12E, for the following permits:

Permit S-2163 (I think the POU for Cert 5385 would work, since I have the FPS for the relevant, affecting transfer)

Permit S-22633 (POU for Cert C26642)

Permit S-27390 (POU for Cert 46368)

Permit S-33228 (POU for Cert 51486)

Permit S-39616 (POU for Cert 51487)

Please let me know if you can help, and provide any relevant maps you have.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

Robert Wood Watermaster, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2650 http://oregon.gov/OWRD Robert.L.WOOD@wrd.state.or.us

Robert Wood Watermaster, District 3 2705 E 2nd Street The Dalles, OR 97058 (541) 506-2650 http://oregon.gov/OWRD Robert.L.WOOD@wrd.state.or.us

6/22/2006

# Oregon Water Resources Department



ADMINISTRATIVE SERVICES

Human Resources / PersonnelWater Development Loan Fund

Fiscal / Accounting

Support Services

Fax: 503-986-0903 or 503-986-0904

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
http://www.wrd.state.or.us

#### **FAX TRANSMITTAL**

To: Greg Kupillas	Fax Number	er: <u>(503)</u> 632-5983					
Date: 5/24/06	Pages: _5	, including cover sheet					
From: Dorothy Peders	Phone: 503	Phone: 503-986-0 890					
Comments:							
Remaining right cer	rtificate to supers	ede certificate. 46532					
Pertains to T-9	990. I will email	ode certificate 46532 the electronic					
	u, as well as whiches						
/	9990 as I can find,						
	in the remaining right						
DIRECTOR'S OFFICE	TECHNICAL SERVICES	WATER RIGHTS					
<ul> <li>Water Resources Commission</li> </ul>	Dam Safety	<ul> <li>Water Rights Information</li> </ul>					
<ul> <li>Legislation and Rules</li> </ul>	Enforcement	<ul> <li>Adjudications</li> </ul>					
<ul> <li>Public Information</li> </ul>	Ground Water	Hydroelectric					
	Information Services	<ul> <li>Certificates / Final Proofs</li> </ul>					
FIELD SERVICES	GIS/Mapping	<ul> <li>Hearings / Contested Cases</li> </ul>					
<ul> <li>Regional Liaisons</li> </ul>	Water Use Reporting						
<ul> <li>Transfers</li> </ul>							
<ul> <li>Hydrographics</li> </ul>							
	Fax: 503-986-0902	Fax: 503-986-0901					
NORTHWEST REGION							
District 16 Watermaster							

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 the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 478.3 ACRES AND SUPPLEMENTAL IRRIGATION of 650.72 ACRES, DOMESTIC AND STOCK USE.

This right was perfected under Permit 15165. The date of priority is OCTOBER 21, 1929. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 23.72 CUBIC FEET PER SECOND (cfs), being 11.86 cfs from Badger Creek for irrigation, 11.72 cfs from Badger Lake Reservoir for supplemental irrigation, and 0.14 cfs from Badger Creek for domestic and stock use, or its equivalent in case of rotation, measured at the points of diversion from the source.

The point of diversion is located as follows:

SW % NE %, SECTION 32, T 3 S R 11 E, W.M.

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 not to exceed one acre foot per acre during any 30 day period up to July 1st of each year and not to exceed 3 acre feet per acre during any irrigation season; provided, the rate of flow shall not exceed ONE-FORTIETH of a second foot per acre up to July 1st of each year and thereafter not to exceed ONE-EIGHTIETH of a second

foot per acre, except in case of rotation; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein.

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:

#### PRIMARY - BADGER CREEK

				4.0							20.0	
				ION 33					. 5	EC	rion 7	
	Г 3	S,	R	12 E,	W.M.							
							SW	1/4	SW	1/4	8.0	ACRES
SE	1/	SE	1/	15.0	ACRES						R NOIT	
	/4	-	דיריי	PTON 2	11011110				_			
,	п 4	ر د	EC.	11 01 2	M M	•	3.77.7	1/	ATT.T	1/	<b>F</b> 0	A CDEC
Ţ	1 4	S,	R	II E,	W.M.		NW	1/4	MM	1/4	5.0	ACRES
							SW	1/4	SE	1/4	5.0 7.0	ACRES
				15.0			SE	1/4	SE	1/4	6.5	ACRES
SW	1/4	NW	1/4	8.6	ACRES				S	EC:	rion 9	
				15.0								
				20.0			SW	1/	NE	1/	5 3	ACRES
				30.0			ME	1/	CE	1/	7 3	ACDEC
				TION 1			NIM	1/	CE	1/	10.6	ACRES
		5	EC.	LION I			TAM	74	25	74 7 G M	10.6	ACKES
									Si	T.O.T.	ION 10	
				34.0								
SE	1/4	SW	1/4	17.7	ACRES		NE	1/4	NM	1/4	10.0	ACRES
NE	1/4	SE	1/4	16.9	ACRES		SE	1/4	SW	1/4	6.0	ACRES
		S	ECT	TION 2					SE	ECT	ION 11	
NTW	1/	NE	1/	5.0	ACRES							
				20.0			NW	1/	ME	1/	12 0	ACRES
							NE	1/	NTM	1/	4.0	ACREC
							ME	74	TAM	74	4.U	ACRES
				15.7					SE	SCT	10N 13	
NE	1/4.	SE	1/4	8.0	ACRES							
NW	1/4	SE	1/4	6.0	ACRES		NE	1/4	NE	1/4	2.5	ACRES
SE	1/4	SE	1/4	6.0 5.0	ACRES				SE	ECT	ION 18	
		S	ECI	CION 3			T	4	S,	R	12 E,	W.M.
		_										
SW	1/	NW	1/	2.5	ACRES		NE	1/4	SE	1/4	10.0	ACRES
				15.0			NW	1/	SE	1/4	10.0	ACRES
						•	Q.D.	1/	CE	1/	10.0	ACDEC
				11.7		•						
		S	ECI	CION 4					5.	r C I	ION 6	
		3										
SE	1/4	NW	1/4	15.0	ACRES		٠					

SECTION 5

NE ¼ NE ¼ 14.2 ACRES NE % NW % 26.8 ACRES SECTION 7

NW 1/4 NW 1/4 10.0 ACRES SE 1/4 NW 1/4 5.0 ACRES SECTION 8 T 4 S, R 13 E, W.M.

#### SUPPLEMENTAL - BADGER LAKE RESERVOIR

SE 1/4 SE 1/4 .14 ACRES SECTION 33 T 3 S, R 12 E, W.M.

SE 1/4 SE 1/4 10.38 ACRES SECTION 2

NW 1/4 NE 1/4 8.00 ACRES SECTION 12 T 4 S, R 11 E, W.M.

SW 1/4 NE 1/4 15.00 ACRES SW 1/4 NW 1/4 11.52 ACRES SE 1/4 NW 1/4 15.00 ACRES

NW ¼ SE ¼ 5.35 ACRES SW 1/4 SE 1/4 28.00 ACRES SE ¼ SE ¼ 31.00 ACRES

SECTION 1

SW 1/4 NW 1/4 25.80 ACRES SE 1/4 SW 1/4 .14 ACRES

NE 1/4 SE 1/4 20.76 ACRES

SECTION 2

5.00 ACRES NW 1/4 NE 1/4 SW % NE % 27.26 ACRES NE % NW % 15.00 ACRES NE % SE % 18.14 ACRES
NW % SE % 6.00 ACRES
SE % SE % 7.00 ACRES

SECTION 3

SE % NW % 11.72 ACRES SECTION 4

NE ¼ NE ¼ 13.00 ACRES SE 1/4 NW 1/4 10.38 ACRES SECTION 5

SW ¼ NW ¼ 7.00 ACRES SE 1/4 NW 1/4 2.00 ACRES

SW 1/4 SW 1/4 4.00 ACRES NE 1/4 SW 1/4 8.95 ACRES SE ¼ SE ¼ 16.22 ACRES SECTION 7

> SW 1/4 SW 1/4 8.00 ACRES NW 1/4 SE 1/4 12.45 ACRES SECTION 8

> NW ¼ NW ¼ 4.00 ACRES SW ¼ SE ¼ 7.00 ACRES SE ¼ SE ¼ 6.50 ACRES SECTION 9

> SW 1/4 NE 1/4 5.33 ACRES NE 1/4 SE 1/4 7.00 ACRES NW 1/4 SE 1/4 10.00 ACRES SECTION 10

NE ¼ NW ¼ 17.00 ACRES NW 1/4 SW 1/4 10.00 ACRES SW 1/4 SW 1/4 3.00 ACRES SECTION 11

SW % NE % 15.10 ACRES NW W NW % 14.76 ACRES SW 1 NW 1 6.00 ACRES SE W NE % 7.50 ACRES NE % SE % 2.50 ACRES \* SECTION 12

NW 14 NE 14 8.00 ACRES NE % NW % 4.00 ACRES SECTION 13

NW ¼ NW ¼ 7.26 ACRES SECTION 15

NE ¼ NE ¼ 1.70 ACRES SECTION 18 T 4 S, R 12 E, W.M.

				11.00			-			9.40 26.80	
		S	ECTI	ON 5		-		S	EC.	TION 7	
NE	1/4	SE	1/4	10.00	ACRES	NW	1/4	NW	1/4	20.00	ACRES
NW	1/4	SE	1/4	10.00	ACRES	SE	1/4	NW	1/4	4.00	ACRES
SE	1/4	SE	1/4	20.00	ACRES	SW	1/4	NE	1/4	28.66	ACRES
		SE	ECTI	ON 6				S	EC.	FION 8	
						-	4	S.	R	13 E. W	I.M.

This certificates describes that portion of the water right confirmed by Certificate 46532, Volume 39, State Record of Water Right certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 27, 1979, approving Transfer 4313.

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 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.

WITNESS the signature of the Water Resources Director, affixed May 23, 2006.

Philip C. Ward, Director Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82086.

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrd.state.or.us]

Sent: Wednesday, May 17, 2006 12:07 PM

To: 'phggek@bctonline.com'

Subject: McAllister transfers T-9990 & T-10016

#### Greg.

I got a call this morning from Larry Toll, the agent for T-9990 and T-10016. He mentioned that there is another earlier transfer, T-8080, being currently processed by Department staff, that operates on several of the same rights involved with the transfers you are working on (certificates 51486, 51487, 76222, 76223 and 80637). Therefore, we can issue one set of remaining right certificates for these rights, to describe the portions of the rights not affected by any of the transfers. The remaining right certificates for those rights will be issued concurrent with the order for the later of the transfers.

Probably your orders will be issued last, so in that case, you will add a finding in the orders, acknowledging that T-8080, T-9990 and T-10016 are all affecting the right under Certificate 76223, and T-8080 and T-9990 are both affecting the right under certificates 51486, 51487, 76222 and 80637. Then I will send you the electronic remaining right certificates for those rights that have been prepared by WRD staff for the T-8080 transfer (but not issued), and you can edit them to subtract off the lands and water quantity affected by your transfers, and insert your transfer numbers and blanks referring to the orders into the paragraph at the end of each certificate that tells why the remaining right certificate is being issued. Does this make sense? Call me if you are confused. Ultimately, it should cut down significantly the time you need to spend on generating remaining right certificates.

Have a good afternoon, Dorothy

#### **Reimbursement Authority Process Itemized Estimate Sheet** for Water Rights Transfer

Application Number T-9990

Name of Applicant: McAllister Ranches

#### **Proposed Timeline**

8/16/05	Public Notice (start of 30-day comment period).
5/22/06	Completion of draft preliminary determination—I week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
6/27/06	Deadline for applicant review of draft preliminary determination30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)—within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

#### Estimate

	Item	Time
l	Review of application for completeness.	1.5
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	2
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	2.5
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	2
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	6
	Total Estimated Time:	14

(Indicate the estimated amount of time, in 1/2 hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Pacific Hydro-Geology

Authorized Representative: Sup 2. 96 Date: 5/2/06

Revised 11/5/2004 DIP



From:

Dorothy Pedersen [Dorothy.I.PEDERSEN@wrd.state.or.us]

Sent:

Monday, April 24, 2006 3:23 PM

To:

'phggek@bctonline.com'

Subject:

Templates for T-9990 and T-10016 (McAllister)

Attachments: RR\_sw\_permit.dot; DPD\_cov\_approve.dot; DPD\_cov\_reject.dot; PD\_cov\_fav\_nni.dot; PD\_cov\_unfav\_nni.dot; PD\_notice.dot; DeficLet.dot; Contact List.dot; 9990-RA deliv-cov.doc; 9990-estimate.doc; 9990-dpd-template.doc; 10016-RA deliv-cov.doc; 10016-estimate.doc;

10016-dpd-template.doc

Hi Greg,

Attached are templates for the McAllister transfers (T-9990 and T-10016). You'll have a lot of deletion needed to get the DPD documents in shape, but hopefully it won't take much time.

Have a good afternoon, Dorothy

#### **Shipping Checklist for Reimbursement Authority File**

File T-9990 Applicant: Ma Allister Ranches
Agent/Contact: Tenneson Engineering Comp/Larry Toll
Ship to Contractor: Pacific Hydro
Items included:
Copy of front of file folder
Reimbursement Authority Estimate Application
Transfer Application form
Transfer map
Evidence of use affidavit
Supporting documentation for evidence of use
□ Land-use Information form $OK$
Lot book report (or deed if instream or temporary transfer, or application
received before 7/1/03) Need to ask for in DPD cover letter
Certificate or copy of decree for each right to be transferred
Final Proof map or decree map for each right to be transferred
Well logs (if change in POA, SW POD-to-GW POA change)
Watermaster review (all transfers)
ODFW review (if change in POD)  WGW review (if ΔPOA, or POD-to-POA change)
T
Final Deliverable cover sheet
Herrizod Estimate sheet for somitation
Additional things to check:
All regular application processing fees paid I that to have to have to have
Reimbursement Authority \$125 fee paid for preparing estimate
Itemized Estimate sheet for contractor  Additional things to check:  ☐ All regular application processing fees paid I think to the cfs whether \$1.0 cfs ☐ Reimbursement Authority \$125 fee paid for preparing estimate ☐ Date of WRD initial Public Notice 8/16/2005
Number of sheets copied
File contents copied by 1. Parkle Date 4/19/06

#### Reimbursement Authority Process Itemized Estimate Sheet for Water Rights Transfer

Ap	plica	tion	Numbe	r T-9990
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Name of Applicant: McAllister Ranches

#### **Proposed Timeline**

8/16/05	Public Notice (start of 30-day comment period).
5/22/06	Completion of draft preliminary determination1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
6/27/06	Deadline for applicant review of draft preliminary determination30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

#### **Estimate**

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
	Total Estimated Time:	

(Indicate the estimated amount of time, in 1/2 hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Pacific Hydro-Geology	
Authorized Representative:	Date:

# Reimbursement Authority Final Deliverables Cover Sheet for Transfers

Transfe	er # 9990 Applicant: McAllister Ranches	
The fo	ollowing items have been submitted electronically*:	
	Contact List	
	Draft Preliminary Determination (DPD)	
	DPD Cover Letter	
	PD Notice	
	PD Cover Letter	
	Remaining Right Certificates (one for each right that is not entirel transfer)	y affected by the
*NOTE	E: Transfer documents should be submitted in MS Word format pr	eferably, or "rich text"
format.		
The fo	ollowing items are enclosed:	
	Marked copy of transfer application	
	(for POU changes) Plat Card Report marked to indicate any other lands	rights on the "From"
	(for POU changes) Plat Card Report marked to indicate rights over	rlapping proposed POU
	Notes or sketches, maps, etc. from evaluation of changes, injury exhelp document what was considered in reaching the findings and of Preliminary Determination.	
	Copies of each certificate that is only partially included in the tran to show what portion of the right is being affected, and what rema	
	Signature of Contractor:	Date:
For W	VRD use only:	
WRD	approval by:	Date:

### WATER RESOURCES DEPARTMENT REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

REQUEST	TYPE	FILE NUMBER
₩ 🖸	Transfer Application	T-9990
	Certificate Request	
	Extension of Time Request	

Applicant Information Applicant's Representative/Contact McAllister Ranch Tenneson Engineering Corp. William McAllister Attn: Larry Toll Name: (Please Print) 80445 Ross Road 409 Lincoln Street Address: The Dalles, OR 97058 Tygh Valley, OR 97063 Phone: 503-784-0836 (cell) 541-296-9177 Fax 541-544-2970 541-296-6657 E-Mail Address: ltoll@tennesoneng.com

#### I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of § 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

OWRD – Reimbursement Authority Program 725 Summer St. NE, Suite A

Salem, OR 97301-1271.

I certify that I am the (check one) \( \bar{\Pi} \) Applicant \( \bar{\Pi} \) Applicant's Representative \( \bar{\Pi} \) Other (Please specify)

Signature: Willean & Ma	lester Koo No	me.
Signature of the state of the s	10	inc.
WRD USE ONLY	11	
OWRD USE ONLY Contractor Assigned: Pacific p	Holed	Total Amount Paid: \$ /25

RECEIVED

Revised: 6/21/2004

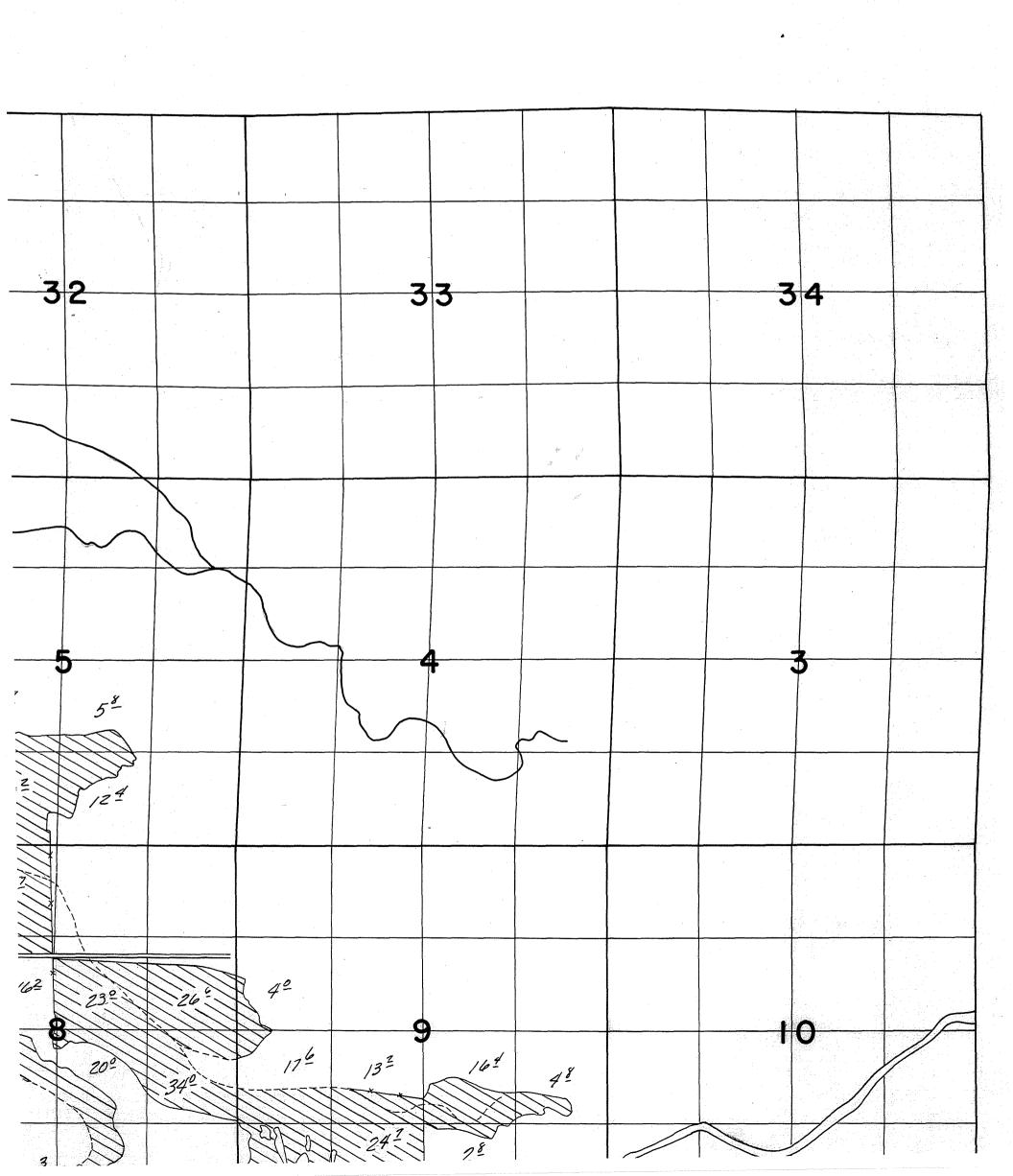
APR 1 8 2006
WATER RESOURCES DEPT
SALEM, OREGON

## BADGER IMPROVEMENT DISTRICT FINAL PROOF SURVEY

APPLICATION NO. 34734 PERMIT NO. 27390

SURVEYED

NOV. & DEC., 1975 BY T. PAUL



From 5-34734 FP map

IE HULLUW COUPERATIVE, 1110. REGON STATE GAME COMMISSION FINAL PROOF SURVEY APPLICATION NO. R-45211 PERMIT NO. R-5250 45212 33228 SURVEYED NOV. & DEC., 1975 BY T. PAUL Directly Benefited Indirectly Benefited By Exchange T3 S. R. 12 E. T.3 S. R.13E. I.4 S. R. 12 E 7.45.R.13E. 26 92 8= 396 38. 40 31 38.-36° 38 38 30 162 114 126 HOLLOW CREEK 106 204

