

T-9990

T-9990

Name McAllister Ranches
By _____
Address 80455 Wamic Market Rd
Tygh Valley, OR 97063
503-784-0836

Change in POU
Date filed 8-5-2005
Date of hearing _____
Place of hearing _____
Date of order 2-12-07 Vol. 71, page 171
Date for application of water _____
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

82980
82979

DESCRIPTION OF WATER
BADGER CR, THREEMILE
HIGHLAND DITCH, PINE H
Name of stream _____
Trib. of _____ County of WASCO
Use IR/DO/LV/IS/IC/RC
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority 04/27/1925, 10/21/1929, 08/08/1914, 04/12/1941
03/22/1961, 07/23/1968, 05/01/1975, 03/20/1951
In name of FA MORROW, BADGER IMPROVEMENT DISTRICT
PINE HOLLOW COOP, DEPT FISH & WILDLIFE
_____ Adjudication, Vol. _____, page _____
App. No. _____ Per. No. _____ Cert. No. _____
Certificate cancelled _____
Notation made on record by _____

1721 - 04-10-05 do
from mtbank
80637 - RR Ken
76222 - RR Ken
76223 -
51486 - RR Ken
51487 - RR Ken
82086 - sand

FEES PAID

Date	Amount	Receipt No.
8/5/05	350.00	76416
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

Permit

APP#	APP#	CERT#
S 10137	S 6734	7221
S 12081	S 15165	46532
S 13343	S 2163	80637
S 14114	S 22633	76222
S 34734	S 27390	76223
S 45212	S 33228	51486
S 53066	S 39616	51487

← cancelled by T-4313 → ~~82086~~

REMARKS

Agent: Tennessee Engineering Corp / Larry Toll
Badger Improvement District: 80309 Ross Rd: Wamic, OR. 97063
Pine Hollow Cooperative: 80309 Ross Rd: Wamic, OR. 97063
Public Notice 8-16-2005
BA Contractor - Pacific Hydro

T-9990

T-9990

Name McAllister Ranches

By _____

Address 80455 Wamic Market Rd

Tygh Valley, OR 97063

503-784-0836

Change in POU

Date filed 8-5-2005

Date of hearing _____

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Date of order 2-12-07 Vol. 71, page 171

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

82980
82979

DESCRIPTION OF WATER RIGHT

BADGER CR, THREEMILE CR, BADGER LK RES
HIGHLAND DITCH, PINE HOLLOW RES

Name of stream _____

TYGH CR, WHITE RV, BADGER CR, PINE HOLLOW

Trib. of _____ County of Wasco

Use IR/DO/LV/IS/IC/RC

Quantity of water _____ No. of acres _____

Name of ditch _____

04/27/1925,10/21/1929,08/08/1914,04/12/1941
03/22/1961,07/23/1968,05/01/1975,03/20/1951

Date of priority _____

In name of FA MORROW, BADGER IMPROVEMENT DISTRICT
PINE HOLLOW COOP, DEPT FISH & WILDLIFE

_____ Adjudication, Vol. _____, page _____

App. No. _____ Per. No. _____ Cert. No. _____

Certificate cancelled _____

Notation made on record by _____

FEE PAID

Date	Amount	Receipt No.
8/5/05	350.00	76416
TOTAL . . .		
	Cert. Fee	

FEE REFUNDED

Date	Amount	Check No.

APP#	APP#	CERT#
S 10137	S 6734	7221
S 12084	S 15165	46532
S 2343	S 2163	80637
S 10114	S 22633	76222
S 34734	S 27390	76223
S 45212	S 33228	51486
S 53066	S 39616	51487

Permit
cancelled by T-4313 → 82986

REMARKS

Agent: Tenneson Engineering Corp / Larry Toll

Badger Improvement District: 80309 Ross Rd: Wamic, OR. 97063

Pine Hollow Cooperative: 80309 Ross Rd: Wamic, OR. 97063

Public Notice 8-16-2005

BA Contractor - Pacific Hydro



Oregon

Theodore R. Kulongoski, Governor

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 for 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 http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml 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





Oregon

Theodore R. Kulongoski, Governor

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 13th 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



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.

APPLICATION FOR:

Please check one

<input checked="" type="checkbox"/> Water Right Transfer	<input type="checkbox"/> Temporary Transfer (number of years _____)	<input type="checkbox"/> Drought Transfer
<input type="checkbox"/> Historic Change in POD	<input type="checkbox"/> Permit Amendment	<input type="checkbox"/> Point of Diversion Change Due to Government Action
<input type="checkbox"/> To Instream Use		
<input type="checkbox"/> Other Transfer		

1. APPLICANT INFORMATION

Name: McAllister Ranches

Address: 80455 Wamic Market Road

Tygh Valley OR 97063

City State Zip

Phone: (503) 784-0836 (cell)

Home Work Other

*Fax: (541) 544-2970 *E-Mail address: _____

**Optional information*

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: Tennessee Engineering Corporation / Larry Toll

Address: 409 Lincoln Street

The Dalles OR 97058

City State Zip

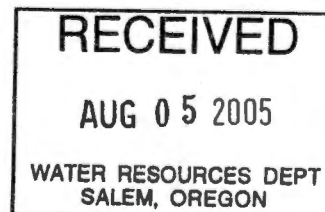
Phone: (541) 296-9177

Home Work Other

*Fax: (541) 296-6657 *E-Mail address: ltoll@tennesoneng.com

**Optional information*

T. 9990



COPY

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)
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) <input type="checkbox"/> 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.)	<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	Proposed new use: <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete Supplemental Form B) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: Change 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.)

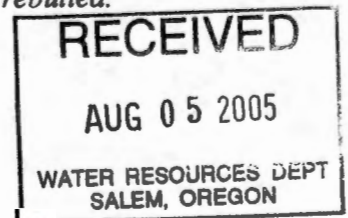
The Badger Ditch delivers water to a number of users. The Badger Ditch diverts up to 50 cfs from Badger Creek and distributes the water. Individual users flood and sprinkle irrigate.

System capacity: 50 cubic 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



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):

<input checked="" type="checkbox"/> Certificated Right	<u>7221</u> Certificate Number	<u>6734</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	 Name of Decree	 Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for which an Amendment is Requested	 Permit Number	 Completion Date of Permit

Name on Permit, Certificate, or Decree: F.A. Morrow

County: Wasco Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: _____

Source(s) of Water Listed on Right: Badger Creek

Tributary to: Tygh Creek

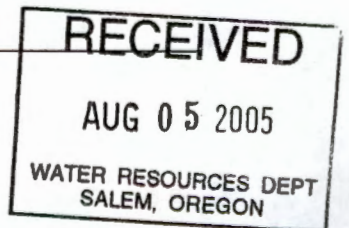
Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: _____

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? Permits 27390, 33228, and 39616 Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

T. 9990

Transfer Application/3 A



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	¼ ¼ 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	¼ ¼ 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: _____

T. 9990

Transfer Application/5 A

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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	¼ ¼ 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:

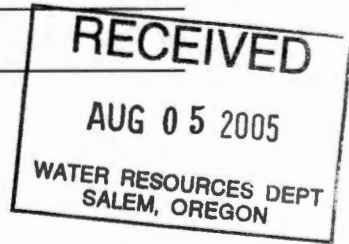
Township	Range	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)	
4	S	12	E	W	1	Primary	
					NE/SW	--	2.0 + 0.3
					NW/SW	--	0.3 + 0.8
					SW/SW	--	1.0
					SE/SW	--	0.9
							Supplemental
					NE/SW	--	0.3
					NW/SW	--	0.8
					SW/SW	--	1.0
					SE/SW	--	0.9

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: _____

T-9990

Transfer Application/5 B



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):

<input checked="" type="checkbox"/> Certificated Right	80637 Certificate Number	2163 Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for which an Amendment is Requested	Permit Number	Completion Date of Permit

Name on Permit, Certificate, or Decree: Badger Improvement District

County: Wasco Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: _____

Source(s) of Water Listed on Right: South Fork Badger Creek

Tributary to: Tygh Creek

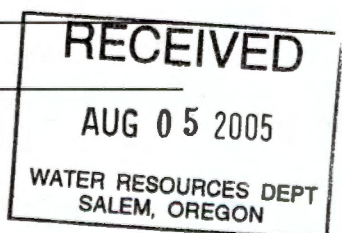
Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: _____

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? _____
Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

T. 9990

Transfer Application/3 C



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:

Township		Range		Mer	Sec	¼ ¼ 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	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	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: _____

T-9990

Transfer Application/5 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 33228

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

Township	Range	Mer	Sec	¼ ¼ 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	¼ ¼ 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: _____

T-9990

Transfer Application/5 *F*

<p>RECEIVED</p> <p>AUG 05 2005</p> <p>WATER RESOURCES DEPT SALEM, OREGON</p>

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	¼ ¼ 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	¼ ¼ 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: _____

T.9990

Transfer Application/5 6

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AUG 05 2005
WATER RESOURCES DEPT
SALEM, OREGON

6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No

Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No

Is water for any of the rights supplied under a water service agreement or other contract for stored water with a Federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

Badger Improvement District	Pine Hollow Cooperative
80309 Ross Road	80309 Ross Road
Wamic, OR 97063	Wamic, OR 97063

List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Wasco County

7. LAND OWNERSHIP

Does the applicant own the lands FROM which the right is being transferred? Yes No
If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): Durmac Ranches, Inc.

Address: 80455 Wamic Market Road

Tygh Valley OR 97063

City State Zip

Does the applicant own the lands TO which the right is being transferred? Yes No
If "No", provide the following information:

Names of Receiving Landowner(s): _____

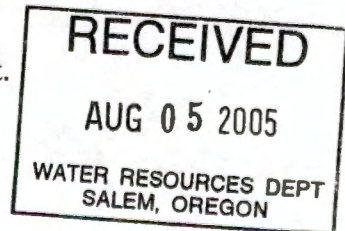
Address: _____

City State Zip

Check one of the following:

- The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

T. 9990



8. ATTACHMENTS

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

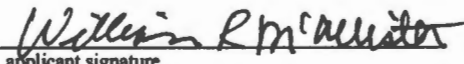
<p>Form A – Evidence of Use Affidavits</p> <p><input type="checkbox"/> At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.</p> <p>Form B – Instream Water Right Transfer</p> <p><input type="checkbox"/> Required for instream transfers only.</p> <p>Map</p> <p><input checked="" type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>Evidence of Lien Holder Notification</p> <p><input type="checkbox"/> 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.</p> <p>Recorded Deed</p> <p><input type="checkbox"/> Required for temporary transfers only.</p>	<p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed</p> <p><input checked="" type="checkbox"/> Not Required if all of the following are met:</p> <ul style="list-style-type: none"> ① In EFU zone or irrigation district, ② Change in place of use only, ③ No structural changes needed, including diversion works, delivery facilities, other structures, and ④ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> The application is for a surface water transfer and water well reports are not required.</p> <p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p>
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9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

- (1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and
- (2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

I (we) affirm that the information contained in this application is true and accurate.

	name (print)	date
applicant signature	name (print)	date

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

FEE
\$350⁰⁰

T-9990

Transfer Application/7

RECEIVED

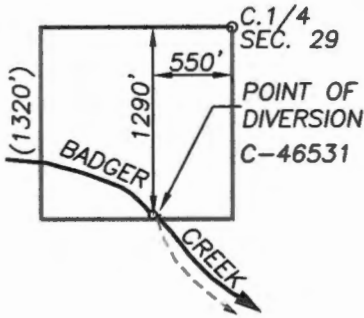
AUG 05 2005

WATER RESOURCES DEPT
SALEM, OREGON

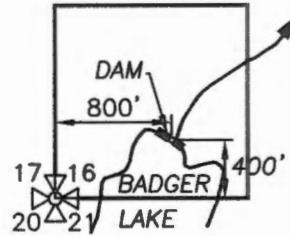
County	Acres	APP	PR Date	Trib	Source	USE	Name
NC	7221	S-6734	4-27-1925	Tygh Creek	Badger creek	IR	F.A. Morrow
CN	46532	S-15165	10-21-1929	White River	Threemile CR Badger Lake Badger Res	DO IR LV IS	Badger Improvement District
NC	80637	S-2163	8-8-1914	Badger Creek	Highland Ditch	IR	"
NC	76222	S-22633	4-12-1941	White River	Badger Creek Res	IR	"
NC	76223	S-27390	3-22-1961	White River	Badger Creek Res	IC	"
NC	51486	S-33228	7-23-1968	Tygh Creek	Badger Creek Pine Hollow Res	IR RC	Pine Hollow Coops Dept Fish & Wildlife
NC	51487	S-39616	5-1-1975	White River	Threemile CR Pine Hollow Res	IS	Pine Hollow Coop.

WASCO COUNTY, OREGON

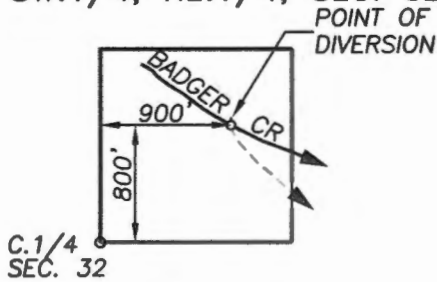
BADGER CREEK
TWP. 3 S., RANGE 11 E. W.M.
NE.1/4, SW.1/4, SEC. 29



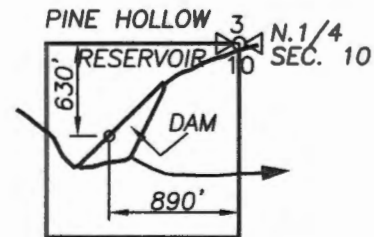
BADGER LAKE RESERVOIR
TWP. 3 S., RANGE 10 E. W.M.
SW.1/4, SW.1/4, SEC. 16



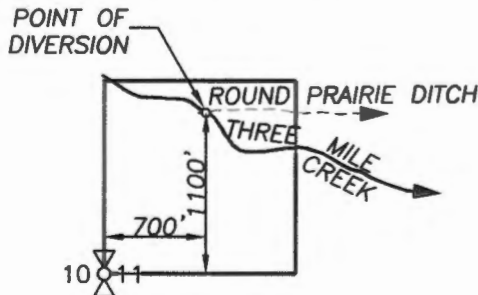
BADGER CREEK
(SOUTH FORK BADGER CREEK)
TWP. 3 S., RANGE 11 E. W.M.
SW.1/4, NE.1/4, SEC. 32



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'

RECEIVED
AUG 05 2005
WATER RESOURCES DEPT
SALEM, OREGON

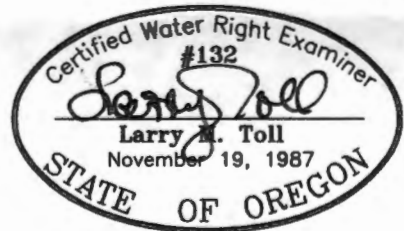
APPLICATION No. T-9990

PERMIT No. _____

IN THE NAME OF:

McALLISTER RANCH

DATE: JULY 7, 2005



EXPIRES: 06/30/06

TENNESON ENGINEERING CORP.
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 HOLLOW COOPERATIVE INC.

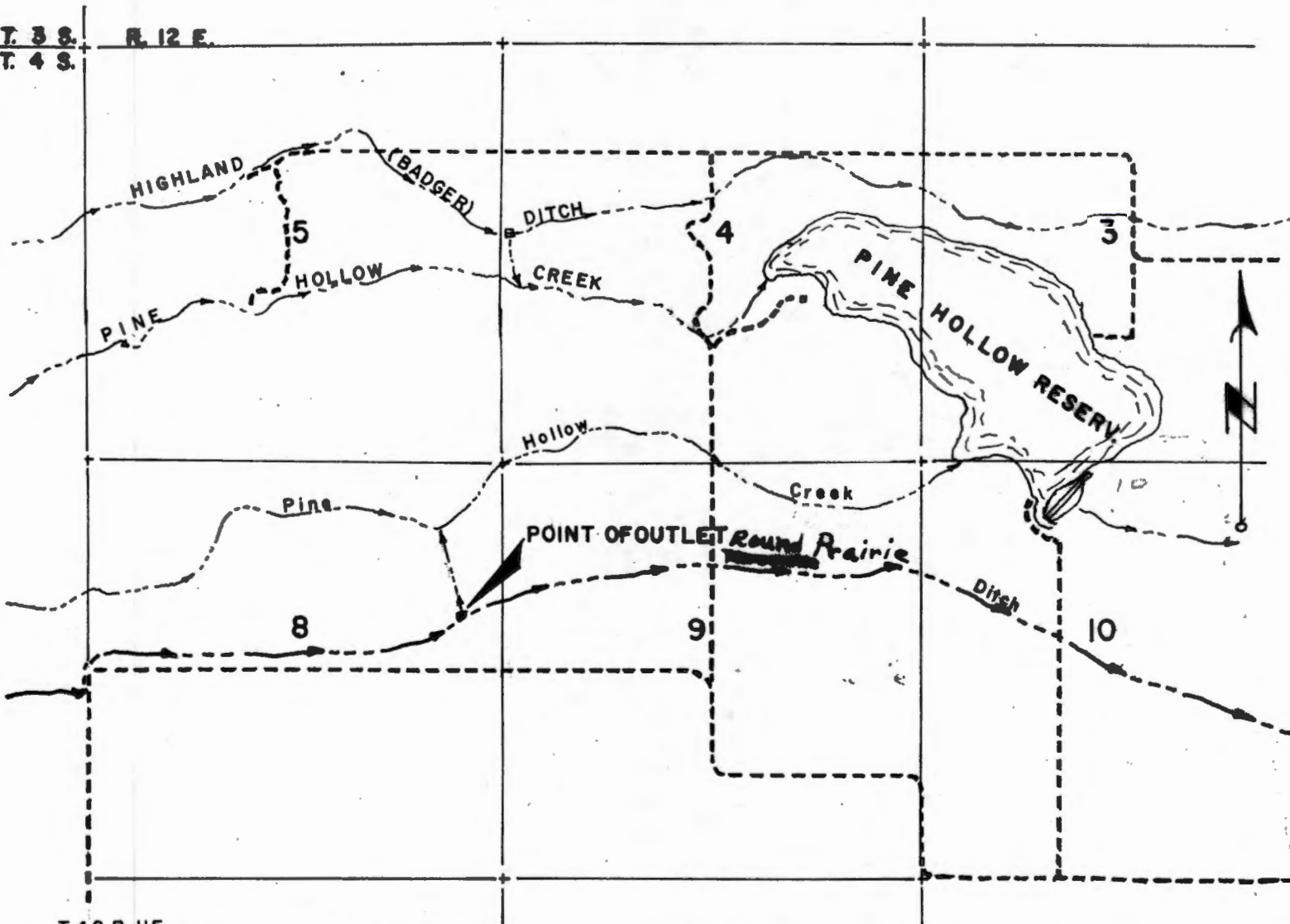
ROUTE 1 BOX 94
TYGH VALLEY, ORE.

RECEIVED

MAY 1 1975.

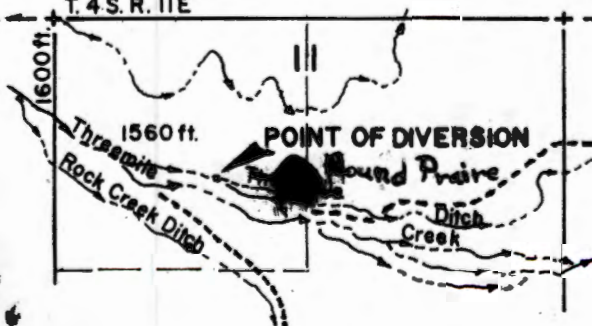
STATE ENGINEER
SALEM, OREGON

T. 3 S. R. 12 E.
T. 4 S.



T. 4 S. R. 11 E.

T. 4 S. R. 11 E. & R. 12 E.



Application No. R-53065 + 53066
Permit No. R 6368 & 39616

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OR 97063

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

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

The point of diversion is located as follows:

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

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

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

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

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.50 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.50 ACRES

SECTION 33

TOWNSHIP 3 SOUTH, RANGE 12 EAST, W.M.

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

T-5606.SB

Certificate Number 80637

T-9990

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

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

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

SECTION 1

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

SECTION 2

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

SECTION 3

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

SECTION 5

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

SECTION 7

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

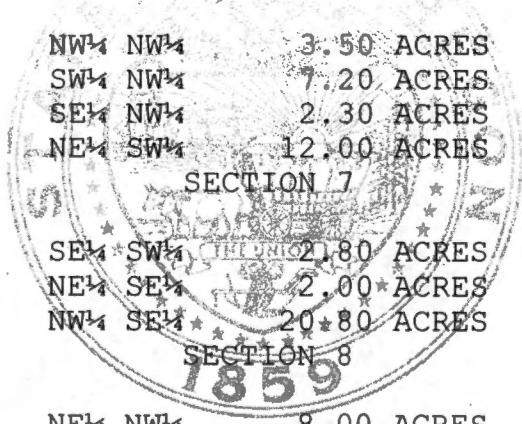
SECTION 8

NE¹/₄ NW¹/₄ 8.00 ACRES

SECTION 9

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

SECTION 11



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

SECTION 12

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

SECTION 15

NW¹/₄ SW¹/₄ 2.00 ACRES

SECTION 16

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

SECTION 17

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

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

SECTION 5

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

SECTION 6

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

SECTION 7

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

SECTION 9

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

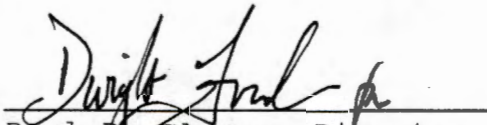
This certificate describes that portion of the water right confirmed by Certificate 46530, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 27, 1979, approving Transfer 4324, entered April 5, 1985 approving Transfer 5606, 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 R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

T-5606A.SB

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, 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 for the purpose of irrigation of 482.3 acres and supplemental irrigation of 654.72 acres, domestic and stock use 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 SW $\frac{1}{4}$ NE $\frac{1}{4}$, 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, 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:

SEE NEXT PAGE

PRIMARY-BADGER CREEK

4.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 33
T. 3 S., R. 12 E., W. M.

15.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2
T. 4 S., R. 11 E., W. M.

15.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
8.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
30.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1

34.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
17.7 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
16.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

5.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
8.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
15.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ *T-4313 APOU #11*
8.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3

2.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
11.7 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 4

15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5

20.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

8.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 8

5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9

5.3 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.3 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10

10.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
6.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11

12.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
4.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13

2.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18

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

10.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
10.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6

14.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
26.8 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

10.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 8

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

SUPPLEMENTAL-BADGER LAKE RESERVOIR

4.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
14.14 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 33
T. 3 S., R. 12 E., W. M.

10.38 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

8.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12
T. 4 S., R. 11 E., W. M.

15.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
11.52 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
15.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
5.35 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
28.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
31.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1

25.80 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
14.14 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
20.76 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

5.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
27.26 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
15.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ *T-4313 APOU #11*
18.14 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
7.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3

11.72 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 4

13.00 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
10.38 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5

7.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
8.95 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
16.22 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

8.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
12.45 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8

4.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
7.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.50 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9

5.33 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10

17.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11

15.10 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
14.76 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
6.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
7.50 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.50 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12

8.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
4.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13

7.26 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 15

1.70 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18
T. 4 S., R. 12 E., W. M.

11.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 5

10.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
20.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6

9.40 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
26.80 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

20.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
4.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.66 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 8

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

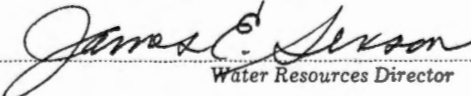
This certificate is issued to confirm a change in place of use as well as to describe that portion of the water right confirmed by the prior certificate recorded on page 20243, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director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

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That F. A. MORROW

97063

of Wasco, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of a right to the use of the waters of a tributary of White River for the purpose of Irrigation 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 acres in SW1/4, Section 1, 5 acres in SW1/4, Section 4, T. 4 S. R. 12 W. E., 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 23rd day

of June, 1927.

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 221

X-9990

✓OK

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 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 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* 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

T-7990

T-8080

Acres of land to receive benefit by a water exchange

0.8 acre NE 1/4 NE 1/4
6.0 acres NW 1/4 NE 1/4

Section 12

Township 4 South, Range 11 East, WM

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

Section 3

14.4 acres NE 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
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
23.8 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

17.2 acres NE 1/4 NW 1/4
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

Section 16

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

14.8 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

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 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
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 NW 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

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
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
38.9 acres NW 1/4 SE 1/4
13.7 acres SW 1/4 SE 1/4
38.6 acres SE 1/4 SE 1/4

Section 2

36.2 acres SE 1/4 NE 1/4
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

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
 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

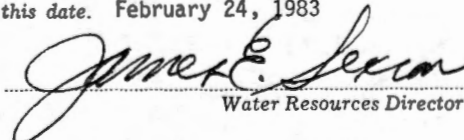
The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

Under Exchange	Direct from Reservoir
0.9 acre NE 1/4 NW 1/4	21.1 acres SE 1/4 NE 1/4
0.1 acre NW 1/4 NW 1/4	2.5 acres NE 1/4 SE 1/4
Section 4	Section 12
Township 4 South, Range 12 East, WM	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

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 for the purpose of supplemental irrigation of 3,435.5 acres

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, W1M; Three Mile Creek - 1,530 feet South and 4,580 feet West from NE Corner, Section 11

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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. Water from the reservoir is to provide a supplemental supply for lands being benefitted 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 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:

SEE NEXT PAGE

T-9990

T-8080

Acres of land to receive benefit by a
water exchange

0.8 acre NE 1/4 NE 1/4

6.0 acres NW 1/4 NE 1/4

Section 12

Township 4 South, Range 11 East, WM

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

Section 3

14.4 acres NE 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

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

17.2 acres NE 1/4 NW 1/4

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

Section 16

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

14.8 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

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
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

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 NW 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

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

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

38.9 acres NW 1/4 SE 1/4

13.7 acres SW 1/4 SE 1/4

38.6 acres SE 1/4 SE 1/4

Section 2

36.2 acres SE 1/4 NE 1/4

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

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
 14.1 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

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

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

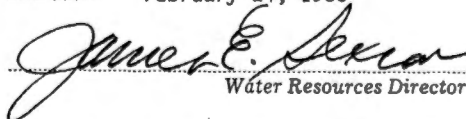
Direct from Reservoir

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

STATE OF OREGON
 COUNTY OF WASCO
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
 BADGER IMPROVEMENT DISTRICT
 80309 ROSS ROAD
 TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK and 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~~X~~ SW~~X~~, SECTION 16, T 3 S, R 10 E, WM, and NE~~X~~ SW~~X~~, 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:

<p>NEX NEX 0.5 ACRE SECTION 12 TOWNSHIP 4 SOUTH, RANGE 11 EAST, W.M.</p> <p>NWX NEX 16.2 ACRES SWX NEX 19.0 ACRES NEX NWX 0.6 ACRE SWX NWX 1.2 ACRES SEX NWX 22.0 ACRES SEX SWX 19.6 ACRES NEX SEX 10.0 ACRES NWX SEX 19.4 ACRES</p> <p style="text-align: center;">SECTION 1</p> <p>SEX NEX 1.0 ACRE NEX SWX 7.0 ACRES NWX SWX 13.3 ACRES SWX SWX 21.9 ACRES NEX SEX 0.6 ACRES SWX SEX 1.5 ACRES SEX SEX 29.4 ACRES</p> <p style="text-align: center;">SECTION 2</p>	<p>NWX NEX 8.0 ACRES SEX NEX 17.0 ACRES NEX NWX 18.0 ACRES NWX NWX 13.2 ACRES NWX SEX 10.0 ACRES SWX NEX 14.8 ACRES SEX SEX 16.9 ACRES</p> <p style="text-align: center;">SECTION 3</p> <p>NEX NEX 5.4 ACRES NWX NEX 25.4 ACRES NEX NWX 6.0 ACRES SEX SWX 7.8 ACRES</p> <p style="text-align: center;">SECTION 4</p> <p>NEX NWX 1.9 ACRES NWX NWX 0.2 ACRES SWX NWX 2.9 ACRES SEX NWX 1.3 ACRES NEX SWX 3.6 ACRES NWX SWX 2.9 ACRES SWX SWX 13.2 ACRES SEX SWX 3.8 ACRES</p> <p style="text-align: center;">SECTION 5</p>
--	--

T-9990

NW¼ NW¼ 17.7 ACRES
SW¼ NW¼ 3.2 ACRES
SE¼ NW¼ 0.9 ACRES
NE¼ SE¼ 13.9 ACRES
NW¼ SE¼ 7.1 ACRES
SE¼ SE¼ 9.0 ACRES

SECTION 7

NE¼ SW¼ 8.8 ACRES
NW¼ SW¼ 8.4 ACRES
SW¼ SW¼ 10.0 ACRES
SE¼ SW¼ 4.0 ACRES
SW¼ SE¼ 5.0 ACRES

SECTION 8

NE¼ NW¼ 4.0 ACRES
NW¼ NW¼ 4.0 ACRES
SE¼ NW¼ 4.0 ACRES
SE¼ SE¼ 10.1 ACRES

SECTION 9

NE¼ NE¼ 6.6 ACRES
NW¼ NE¼ 3.2 ACRES
SE¼ NE¼ 11.7 ACRES

SECTION 10

NE¼ NE¼ 17.8 ACRES
NW¼ NE¼ 7.8 ACRES
SW¼ NE¼ 0.7 ACRE
SE¼ NE¼ 26.6 ACRES
NE¼ NW¼ 7.1 ACRES
NW¼ NW¼ 2.9 ACRES
SE¼ NW¼ 3.1 ACRES

SECTION 11

NE¼ NE¼ 20.0 ACRES
SE¼ NE¼ 5.0 ACRES
NE¼ NW¼ 5.0 ACRES
SE¼ SW¼ 2.1 ACRES

SECTION 12

NE¼ NE¼ 5.0 ACRES
NW¼ NE¼ 4.0 ACRES

SECTION 13

NE¼ NW¼ 8.4 ACRES

SECTION 15

NE¼ NE¼ 10.0 ACRES
NW¼ NE¼ 25.0 ACRES

SECTION 16

NW¼ NE¼ 5.0 ACRES
NW¼ NW¼ 7.0 ACRES

SECTION 17

NE¼ NE¼ 2.5 ACRES

SECTION 18

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

NE¼ SW¼ 7.4 ACRES
NW¼ SW¼ 20.0 ACRES
SE¼ SW¼ 11.5 ACRES
NW¼ SE¼ 4.0 ACRES
SW¼ SE¼ 8.6 ACRES

SECTION 5

NE¼ SW¼ 20.6 ACRES
NW¼ SW¼ 10.0 ACRES
SE¼ SW¼ 37.0 ACRES
SW¼ SE¼ 20.0 ACRES

SECTION 6

NW¼ NE¼ 20.0 ACRES
SW¼ NE¼ 25.3 ACRES
SE¼ NE¼ 18.0 ACRES
NW¼ NW¼ 20.0 ACRES
SW¼ NW¼ 8.5 ACRES
SE¼ NW¼ 11.0 ACRES
SW¼ SW¼ 5.0 ACRES
SE¼ SW¼ 4.4 ACRES
NE¼ SE¼ 8.0 ACRES
NW¼ SE¼ 2.8 ACRES

SECTION 7

NE¼ NW¼ 20.0 ACRES
SW¼ NW¼ 22.8 ACRES
SE¼ NW¼ 7.6 ACRES
NE¼ SW¼ 5.0 ACRES

SECTION 8

NE¼ SW¼ 6.2 ACRES
SE¼ SW¼ 7.0 ACRES

SECTION 9

TOWNSHIP 4 SOUTH,
RANGE 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 JUN 04 1999, 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.

151 Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76222.

T-8215.LHN

STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK and 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 $\frac{1}{4}$ SW $\frac{1}{4}$, 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 $\frac{1}{4}$ SW $\frac{1}{4}$, 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 amount 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

NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.60 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.00 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.60 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	12.40 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	19.10 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.60 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	8.80 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	7.10 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.20 ACRE	NE $\frac{1}{4}$ SW $\frac{1}{4}$	23.70 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	21.90 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.90 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	8.00 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.80 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.50 ACRE	NW $\frac{1}{4}$ SE $\frac{1}{4}$	38.90 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.20 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.20 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	29.35 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	9.20 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	12.80 ACRES		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	11.60 ACRES		
SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.80 ACRES		

SECTION 1

SECTION 2

T-9990

NW¼ NE¼ 9.40 ACRES
SW¼ NE¼ 8.30 ACRES
SE¼ NE¼ 11.20 ACRES
NE¼ NW¼ 5.10 ACRES
NW¼ NW¼ 10.00 ACRES
NE¼ SE¼ 12.60 ACRES
NW¼ SE¼ 11.80 ACRES
SW¼ SE¼ 2.90 ACRES
SE¼ SE¼ 4.90 ACRES

SECTION 3

NE¼ NE¼ 9.00 ACRES
NW¼ NE¼ 1.00 ACRES
NE¼ NW¼ 8.30 ACRES
SW¼ NW¼ 7.90 ACRES
SE¼ NW¼ 5.20 ACRES
SE¼ SW¼ 2.60 ACRES

SECTION 4

NW¼ NW¼ 9.85 ACRES
SW¼ SE¼ 7.20 ACRES
SE¼ SE¼ 9.80 ACRES

SECTION 7

NE¼ SW¼ 7.60 ACRES
NW¼ SW¼ 6.80 ACRES
SW¼ SW¼ 20.20 ACRES
SE¼ SW¼ 13.00 ACRES
NE¼ SE¼ 12.00 ACRES
SW¼ SE¼ 10.70 ACRES
SE¼ SE¼ 0.50 ACRES

SECTION 8

NE¼ SW¼ 39.10 ACRES
NW¼ SW¼ 1.65 ACRES
SW¼ SE¼ 26.80 ACRES
SE¼ SE¼ 18.60 ACRES

SECTION 9

NE¼ NE¼ 11.60 ACRES
SE¼ NE¼ 3.90 ACRES
NE¼ SE¼ 28.70 ACRES
NW¼ SE¼ 30.00 ACRES

SECTION 10

NW¼ NE¼ 10.00 ACRES
SW¼ NE¼ 2.10 ACRES
NW¼ NW¼ 1.10 ACRES
SW¼ NW¼ 18.20 ACRES
SE¼ NW¼ 15.90 ACRES
NE¼ SW¼ 3.35 ACRES
NW¼ SW¼ 7.00 ACRES
SW¼ SW¼ 16.50 ACRES
SE¼ SW¼ 12.20 ACRES
SW¼ SE¼ 3.45 ACRES

SECTION 11

NE¼ NE¼ 18.50 ACRES
NW¼ NE¼ 23.00 ACRES
SE¼ NE¼ 7.50 ACRES
NE¼ NW¼ 1.60 ACRES
NW¼ NW¼ 20.70 ACRES
SW¼ NW¼ 12.80 ACRES
SE¼ NW¼ 16.20 ACRES
SE¼ SW¼ 13.70 ACRES
SW¼ SE¼ 6.90 ACRES
SE¼ SE¼ 1.80 ACRES

SECTION 12

NE¼ NE¼ 26.20 ACRES
NW¼ NE¼ 16.80 ACRES
NE¼ NW¼ 13.60 ACRES
NW¼ NW¼ 3.00 ACRES

SECTION 13

NE¼ NE¼ 12.40 ACRES

SECTION 14

NE¼ NW¼ 4.80 ACRES
NW¼ NW¼ 14.30 ACRES

SECTION 15

NE¼ NE¼ 20.80 ACRES
NW¼ NE¼ 4.70 ACRES
NE¼ NW¼ 1.00 ACRES

SECTION 16

NW¼ NE¼ 1.40 ACRES
NE¼ NW¼ 3.20 ACRES
NW¼ NW¼ 5.00 ACRES

SECTION 17

NE¼ NE¼ 3.80 ACRES
NW¼ NE¼ 2.05 ACRES

SECTION 18

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

NE¼ SW¼ 1.40 ACRES
NW¼ SW¼ 12.80 ACRES
SW¼ SW¼ 28.40 ACRES
SE¼ SW¼ 24.70 ACRES
NW¼ SE¼ 1.80 ACRES
SW¼ SE¼ 3.80 ACRES

SECTION 5

SW¼ NW¼ 4.60 ACRES
SE¼ NW¼ 1.70 ACRES
NE¼ SW¼ 9.90 ACRES
NW¼ SW¼ 23.30 ACRES
SW¼ SW¼ 38.00 ACRES
SE¼ SW¼ 0.60 ACRE
NE¼ SE¼ 18.80 ACRES
NW¼ SE¼ 28.90 ACRES
SW¼ SE¼ 18.20 ACRES
SE¼ SE¼ 14.90 ACRES

SECTION 6

NE¼ NE¼ 20.20 ACRES
NW¼ NE¼ 9.70 ACRES
SW¼ NE¼ 12.00 ACRES
SE¼ NE¼ 4.30 ACRES
NE¼ NW¼ 11.40 ACRES
NW¼ NW¼ 17.30 ACRES
SW¼ NW¼ 18.60 ACRES
SE¼ NW¼ 13.30 ACRES

SECTION 7

SW¼ SW¼ 11.00 ACRES
NE¼ SE¼ 6.00 ACRES
NW¼ SE¼ 2.80 ACRES

SECTION 7

NE~~X~~ NW~~X~~ 17.70 ACRES
 NW~~X~~ NW~~X~~ 5.50 ACRES
 SW~~X~~ NW~~X~~ 10.80 ACRES
 SE~~X~~ NW~~X~~ 3.60 ACRES
 NE~~X~~ SW~~X~~ 7.60 ACRES
 SE~~X~~ SW~~X~~ 0.30 ACRE
 NE~~X~~ SE~~X~~ 34.00 ACRES
 NW~~X~~ SE~~X~~ 20.00 ACRES
 SW~~X~~ SE~~X~~ 9.20 ACRES

SECTION 8

NE~~X~~ SW~~X~~ 7.00 ACRES
 NW~~X~~ SW~~X~~ 9.80 ACRES
 SW~~X~~ SW~~X~~ 1.90 ACRES
 SE~~X~~ SW~~X~~ 1.70 ACRES
 NE~~X~~ SE~~X~~ 4.80 ACRES
 NW~~X~~ SE~~X~~ 16.40 ACRES

SECTION 9

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

SW~~X~~ SW~~X~~ 3.60 ACRES
 SE~~X~~ SW~~X~~ 0.20 ACRE

SECTION 34

TOWNSHIP 3 SOUTH,
RANGE 12 EAST, W.M.

SUPPLEMENTAL - RESERVOIR

SE~~X~~ NE~~X~~ 11.90 ACRES
 SW~~X~~ NW~~X~~ 10.58 ACRES
 NE~~X~~ SW~~X~~ 0.90 ACRE
 NE~~X~~ SE~~X~~ 0.05 ACRE
 NW~~X~~ SE~~X~~ 0.45 ACRE
 SW~~X~~ SE~~X~~ 0.30 ACRE
 SE~~X~~ SE~~X~~ 0.20 ACRE

SECTION 1

SW~~X~~ NW~~X~~ 8.20 ACRES
 SE~~X~~ NW~~X~~ 27.30 ACRES
 NE~~X~~ SW~~X~~ 8.40 ACRES
 SW~~X~~ SW~~X~~ 3.60 ACRES
 NE~~X~~ SE~~X~~ 9.24 ACRES

SECTION 2

SW~~X~~ NE~~X~~ 2.90 ACRES
 SE~~X~~ NE~~X~~ 8.00 ACRES
 NE~~X~~ NW~~X~~ 0.70 ACRE
 NE~~X~~ SE~~X~~ 5.86 ACRES

SECTION 3

SW~~X~~ NW~~X~~ 2.50 ACRES
 SE~~X~~ NW~~X~~ 8.28 ACRES

SECTION 4

SE~~X~~ NW~~X~~ 4.62 ACRES

SECTION 5

NW~~X~~ NW~~X~~ 3.50 ACRES
 SE~~X~~ SE~~X~~ 3.78 ACRES

SECTION 7

SE~~X~~ SW~~X~~ 2.80 ACRES

SECTION 8

NE~~X~~ SE~~X~~ 0.30 ACRE
 NW~~X~~ SE~~X~~ 0.60 ACRE

SECTION 10

NW~~X~~ NE~~X~~ 1.60 ACRES
 NE~~X~~ NW~~X~~ 0.90 ACRE
 NW~~X~~ NW~~X~~ 4.20 ACRES
 NW~~X~~ SW~~X~~ 0.10 ACRE
 SW~~X~~ SW~~X~~ 4.50 ACRES
 SE~~X~~ SW~~X~~ 6.00 ACRES

SECTION 11

NW~~X~~ NE~~X~~ 12.30 ACRES
 SE~~X~~ NE~~X~~ 1.00 ACRE
 NE~~X~~ NW~~X~~ 6.00 ACRES
 NW~~X~~ NW~~X~~ 3.24 ACRES
 SW~~X~~ NW~~X~~ 1.30 ACRES
 SE~~X~~ NW~~X~~ 2.80 ACRES

SECTION 12

NW~~X~~ NE~~X~~ 4.00 ACRES
 NW~~X~~ NW~~X~~ 14.00 ACRES

SECTION 13

NE~~X~~ NW~~X~~ 4.00 ACRES
 NW~~X~~ NW~~X~~ 5.24 ACRES

SECTION 15

NE~~X~~ NW~~X~~ 4.20 ACRES
 SECTION 17

SECTION 17

NE~~X~~ NE~~X~~ 0.80 ACRE
 SECTION 18

SECTION 18

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

SW~~X~~ SW~~X~~ 0.20 ACRE
 SECTION 5

SECTION 5

SW~~X~~ NW~~X~~ 4.60 ACRES
 NE~~X~~ SW~~X~~ 4.00 ACRES
 NW~~X~~ SW~~X~~ 4.60 ACRES
 SW~~X~~ SE~~X~~ 1.80 ACRES
 SE~~X~~ SE~~X~~ 4.30 ACRES

SECTION 6

NE~~X~~ NE~~X~~ 9.80 ACRES
 NW~~X~~ NE~~X~~ 10.00 ACRES
 SW~~X~~ NW~~X~~ 1.00 ACRES

SECTION 7

SW~~X~~ NE~~X~~ 23.00 ACRES
 SE~~X~~ NE~~X~~ 26.60 ACRES
 NW~~X~~ NW~~X~~ 10.50 ACRES

SECTION 8

NW~~X~~ SW~~X~~ 3.50 ACRES
 SW~~X~~ SW~~X~~ 1.10 ACRES

SECTION 9

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

SUPPLEMENTAL - STREAM AND RESERVOIR

SW¼ SE¼ 1.00 ACRE
SECTION 9

SE¼ SW¼ 21.40 ACRES
SECTION 12

SW¼ NE¼ 6.00 ACRES
SE¼ NE¼ 4.60 ACRES
NE¼ SE¼ 4.60 ACRES
SECTION 10

NE¼ NW¼ 20.00 ACRES
SECTION 13
TOWNSHIP 4 SOUTH,
RANGE 12 EAST, W.M.

NW¼ NE¼ 5.00 ACRES
NE¼ NW¼ 10.00 ACRES
NW¼ NW¼ 6.20 ACRES
SW¼ NW¼ 3.00 ACRES
NW¼ SW¼ 13.50 ACRES
SE¼ SW¼ 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 JUN 04 1999, 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.

151 Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76223.

T-8215.LHN

T-9990

T-9990

Name McAllister Ranches
 By _____
 Address 80455 Wamic Market Rd
Tygh Valley, OR 97063
503-784-0836
 Change in POU
 Date filed 8-5-2005
 Date of hearing _____
 Place of hearing _____
 Date of order _____ Vol. _____, page _____
 Date for application of water _____
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

BADGER CR, THREE MILE CR, BADGER LK RES
 HIGHLAND DITCH, PINE HOLLOW RES
 Name of stream _____
 TYGH CR, WHITE RV, BADGER CR, PINE HOLLOW
 Trib. of _____ County of Wasco
 Use IR/D6/LV/IS/IC/RC
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 04/27/1925, 10/21/1929, 08/08/1914, 04/12/1941
 03/22/1961, 07/23/1968, 05/01/1975, 03/20/1951
 Date of priority _____
 FA MORROW, BADGER IMPROVEMENT DISTRICT
 In name of PINE HOLLOW COOP, DEPT FISH & WILDLIFE
 _____ Adjudication, Vol. _____, page _____
 App. No. _____ Per. No. _____ Cert. No. _____
 Certificates cancelled _____
 Notation made on record by _____

FEE PAID

Date	Amount	Receipt No.
8/5/05	350.00	76416
TOTAL . . .		
	Cert. Fee	

FEE REFUNDED

Date	Amount	Check No.

APP #	APPE	CERT#
S 10137	S 6734	7221
	S 15165	46532
	S 2163	80637
	S 22633	76222
	S 27390	76223
S 45212	S 33228	51486
S 53066	S 39616	51487

REMARKS

Agent: Fennison Engineering Corp / Larry Tall
Badger Improvement District: 80309 Ross Rd: Wamic, OR 97063
Pine Hollow Cooperative: 80309 Ross Rd: Wamic, OR 97063



Oregon

Theodore R. Kulongoski, Governor

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 only 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
Natural Resource Specialist

DP:sh

cc: Watermaster #3
Larry Toll, Agent
Badger Improvement District

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:

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

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 acre-foot 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

SUPPLEMENTAL 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

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.

8. 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
TOTAL:					5.3

SUPPLEMENTAL 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
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 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

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	Rng	Mer	Sec	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 DEPARTMENT 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 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

18. 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
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

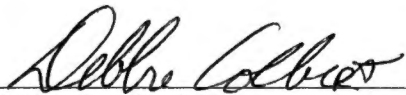
The change in place of use proposed in Transfer Application T-9990 is consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000.

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 ~~WR~~

Mailing date: FEB 15 2007

STATE OF OREGON

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 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 one cubic foot per second per acre up to July 1st 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

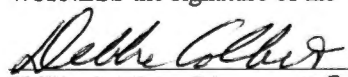
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	5	NE NE	13.00
4 S	12 E	WM	5	SE NW	10.38
4 S	12 E	WM	7	SW NW	7.00
4 S	12 E	WM	7	SE NW	2.00
4 S	12 E	WM	7	NE SW	8.95
4 S	12 E	WM	7	SE SE	16.22
4 S	12 E	WM	8	SW SW	8.00
4 S	12 E	WM	8	NW SE	12.45
4 S	12 E	WM	9	NW NW	4.00
4 S	12 E	WM	9	SW 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	SW NW	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	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 FEB 12 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 12 2007.


 Phillip C. Ward, Director *PCW*

STATE OF OREGON

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:

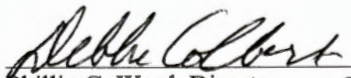
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	1	SW NW	2.0
4 S	12 E	WM	4	SE NW	5.0

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 12 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 12 2007.


Phillip C. Ward, Director, *FW*

Water Right Transfer Completion Checklist

T-9990

Transfer Specialist: R.A.

Water Rights Affected

App File No.	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<u>S-10137</u>	S-6734	7221	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	82979
<u>S-13088</u>	S-15165	82086	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	82980
<u>S-3843</u>	S-2163	80637	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	To be issued after T-8080 + T-10228 82975
<u>S-19264</u>	S-22633	76222	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	To be issued after T-8080 + T-10228 82974
<u>S-34734</u>	S-27390	76223	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	To be issued after T-8080, T-10016 + T-10228 82973
<u>S-45212</u>	S-33228	51486	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	82976
<u>S-53066</u>	S-39616	51487	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	82977

Copies Needed

Watermaster District: 3

CWRE No.: 132

Irrig Dist Name/Address: Badger Improvement District

Commentors Name/Address: Larry Toll is CWRE and agent

Draft PD

Preliminary Determination

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> DPD Mailed <u>July 25, 2006</u> | <input checked="" type="checkbox"/> Electronic Files uploaded | <input type="checkbox"/> File Folder updated |
| <input checked="" type="checkbox"/> DPD Response <u>9/8 + 10/5/06</u> | <input checked="" type="checkbox"/> Preliminary Determination | <input type="checkbox"/> Fee Refund Due |
| <input checked="" type="checkbox"/> Workflow | <input checked="" type="checkbox"/> PD Cover letter | <input type="checkbox"/> Remaining Rights - See note above |
| | <input type="checkbox"/> Newspaper Notice (if required) | <input checked="" type="checkbox"/> Public Notice, Salem |
| | <input type="checkbox"/> Workflow/Date Sent to Salem | <input type="checkbox"/> Audit Sheet |

Comments/Special Issues: Stock use is to be included in the transfer.
Domestic use is not claimed for the transferred land.
Corrections to order and rv certificate, based on 1/11/07 email from agent.
This application is being expedited through Reimbursement Authority.

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>[Signature]</u> Date: <u>6-30-06</u>	Reviewer: <u>[Signature]</u> Date: <u>12-21-06</u>	Reviewer: _____ Date: _____
Coordinator: _____ Date: _____	Coordinator: <u>[Signature]</u> Date: <u>1/4/07</u>	Coordinator: <u>[Signature]</u> Date: <u>3/9/07</u>

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

Comments/Special Issues:

Special Order Volume: _____, Pages _____

Final Order Signature Date: _____

WRIS clone correction needed

Dorothy Pedersen

From: Larry Toll [LToll@tennesoneng.com]
Sent: Thursday, January 11, 2007 3:06 PM
To: Dorothy Pedersen
Cc: Ken Dowden; Lisa.J.JARAMILLO@wr.d.state.or.us
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 than 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

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

1/11/2007



Oregon

Theodore R. Kulongoski, Governor

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.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: District 03 Watermaster – Robert Wood, Jr.
Larry M. Toll – CWRE #132

encs



Oregon

Theodore R. Kulongoski, Governor

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.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: District 03 Watermaster – Robert Wood, Jr.
Larry M. Toll – CWRE #132

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

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: 0.13 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 acre-foot 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

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

2.3 in SW NW as per email 2/11/07 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:

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
TOTAL:					5.3

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
TOTAL:					3.0

2.3
1.1
5.3

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 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	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 DEPARTMENT 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

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

SUPPLEMENTAL IRRIGATION					
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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.

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	SW SW	3.7
4 S	12 E	WM	1	SE SW	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.

19. 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.

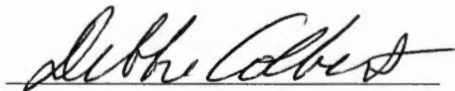
Determination and Proposed Action

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 5th day of January 2007.


For 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@wrđ.state.or.us.

T-9990

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OREGON 97063

19.72 cfs (÷) 1894.54 ac = 0.010408859
583.04
0.01041 cfs/ac

Transfer: 3.0 ac (x) 0.01041 = 0.03123 → 0.03 cfs

Remain: 1891.54 ac (x) 0.01041 = 19.699314 → 19.69 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 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:

NE¼ SW¼, SECTION 29, T 3 S, R 11 E, WM; BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER, SECTION 29; and

SW¼ SW¼, 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 amount 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

NE¼ NE¼	2.60 ACRES
SW¼ NE¼	3.60 ACRES
SE¼ NE¼	19.10 ACRES
NE¼ NW¼	8.80 ACRES
SE¼ NW¼	0.20 ACRE
NE¼ SW¼	21.90 ACRES
NW¼ SW¼	8.00 ACRES
SW¼ SW¼	0.50 ACRE
SE¼ SW¼	5.20 ACRES
NE¼ SE¼	29.35 ACRES
NW¼ SE¼	12.80 ACRES
SW¼ SE¼	11.60 ACRES
SE¼ SE¼	8.80 ACRES

SECTION 1

NE¼ NW¼	2.00 ACRES
NW¼ NW¼	12.40 ACRES
SW¼ NW¼	1.60 ACRES
SE¼ NW¼	7.10 ACRES
NE¼ SW¼	23.70 ACRES
NW¼ SW¼	13.90 ACRES
NE¼ SE¼	8.80 ACRES
NW¼ SE¼	38.90 ACRES
SW¼ SE¼	12.20 ACRES
SE¼ SE¼	9.20 ACRES

SECTION 2

T-9990

Cert. 76223

NW¼ NE¼ 9.40 ACRES
SW¼ NE¼ 8.30 ACRES
SE¼ NE¼ 11.20 ACRES
NE¼ NW¼ 5.10 ACRES
NW¼ NW¼ 10.00 ACRES
NE¼ SE¼ 12.60 ACRES
NW¼ SE¼ 11.80 ACRES
SW¼ SE¼ 2.90 ACRES
SE¼ SE¼ 4.90 ACRES

SECTION 3

NE¼ NE¼ 9.00 ACRES
NW¼ NE¼ 1.00 ACRES
NE¼ NW¼ 8.30 ACRES
SW¼ NW¼ 7.90 ACRES
SE¼ NW¼ 5.20 ACRES
SE¼ SW¼ 2.60 ACRES

SECTION 4

NW¼ NW¼ 9.85 ACRES
SW¼ SE¼ 7.20 ACRES
SE¼ SE¼ 9.80 ACRES

SECTION 7

NE¼ SW¼ 7.60 ACRES
NW¼ SW¼ 6.80 ACRES
SW¼ SW¼ 20.20 ACRES
SE¼ SW¼ 13.00 ACRES
NE¼ SE¼ 12.00 ACRES
SW¼ SE¼ 10.70 ACRES
SE¼ SE¼ 0.50 ACRES

SECTION 8

NE¼ SW¼ 39.10 ACRES
NW¼ SW¼ 1.65 ACRES
SW¼ SE¼ 26.80 ACRES
SE¼ SE¼ 18.60 ACRES

SECTION 9

NE¼ NE¼ 11.60 ACRES
SE¼ NE¼ 3.90 ACRES
NE¼ SE¼ 28.70 ACRES
NW¼ SE¼ 30.00 ACRES

SECTION 10

NW¼ NE¼ 10.00 ACRES
SW¼ NE¼ 2.10 ACRES
NW¼ NW¼ 1.10 ACRES
SW¼ NW¼ 18.20 ACRES
SE¼ NW¼ 15.90 ACRES
NE¼ SW¼ 3.35 ACRES
NW¼ SW¼ 7.00 ACRES
SW¼ SW¼ 16.50 ACRES
SE¼ SW¼ 12.20 ACRES
SW¼ SE¼ 3.45 ACRES

SECTION 11

NE¼ NE¼ 18.50 ACRES
NW¼ NE¼ 23.00 ACRES
SE¼ NE¼ 7.50 ACRES
NE¼ NW¼ 1.60 ACRES
NW¼ NW¼ 20.70 ACRES
SW¼ NW¼ 12.80 ACRES
SE¼ NW¼ 16.20 ACRES
SE¼ SW¼ 13.70 ACRES
SW¼ SE¼ 6.90 ACRES
SE¼ SE¼ 1.80 ACRES

SECTION 12

NE¼ NE¼ 26.20 ACRES
NW¼ NE¼ 16.80 ACRES
NE¼ NW¼ 13.60 ACRES
NW¼ NW¼ 3.00 ACRES

SECTION 13

NE¼ NE¼ 12.40 ACRES

SECTION 14

NE¼ NW¼ 4.80 ACRES
NW¼ NW¼ 14.30 ACRES

SECTION 15

NE¼ NE¼ 20.80 ACRES
NW¼ NE¼ 4.70 ACRES
NE¼ NW¼ 1.00 ACRES

SECTION 16

NW¼ NE¼ 1.40 ACRES
NE¼ NW¼ 3.20 ACRES
NW¼ NW¼ 5.00 ACRES

SECTION 17

NE¼ NE¼ 3.80 ACRES
NW¼ NE¼ 2.05 ACRES

SECTION 18

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

NE¼ SW¼ 1.40 ACRES
NW¼ SW¼ 12.80 ACRES
SW¼ SW¼ 28.40 ACRES
SE¼ SW¼ 24.70 ACRES
NW¼ SE¼ 1.80 ACRES
SW¼ SE¼ 3.80 ACRES

SECTION 5

SW¼ NW¼ 4.60 ACRES
SE¼ NW¼ 1.70 ACRES
NE¼ SW¼ 9.90 ACRES
NW¼ SW¼ 23.30 ACRES
SW¼ SW¼ 38.00 ACRES
SE¼ SW¼ 0.60 ACRES
NE¼ SE¼ 18.80 ACRES
NW¼ SE¼ 28.90 ACRES
SW¼ SE¼ 18.20 ACRES
SE¼ SE¼ 14.90 ACRES

SECTION 6

NE¼ NE¼ 20.20 ACRES
NW¼ NE¼ 9.70 ACRES
SW¼ NE¼ 12.00 ACRES
SE¼ NE¼ 4.30 ACRES
NE¼ NW¼ 11.40 ACRES
NW¼ NW¼ 17.30 ACRES
SW¼ NW¼ 18.60 ACRES
SE¼ NW¼ 13.30 ACRES

SECTION 7

SW¼ SW¼ 11.00 ACRES
NE¼ SE¼ 6.00 ACRES
NW¼ SE¼ 2.80 ACRES

SECTION 7

NEX NWX 17.70 ACRES
 NWX NWX 5.50 ACRES
 SWX NWX 10.80 ACRES
 SEX NWX 3.60 ACRES
 NEX SWX 7.60 ACRES
 SEX SWX 0.30 ACRE
 NEX SEX 34.00 ACRES
 NWX SEX 20.00 ACRES
 SWX SEX 9.20 ACRES

SECTION 8

NEX SWX 7.00 ACRES
 NWX SWX 9.80 ACRES
 SWX SWX 1.90 ACRES
 SEX SWX 1.70 ACRES
 NEX SEX 4.80 ACRES
 NWX SEX 16.40 ACRES

SECTION 9
TOWNSHIP 4 SOUTH,
RANGE 13 EAST, W.M.

SWX SWX 3.60 ACRES
 SEX SWX 0.20 ACRE

SECTION 34
TOWNSHIP 3 SOUTH,
RANGE 12 EAST, W.M.

SUPPLEMENTAL - RESERVOIR

Remain 7.58	SEX NEX	11.90 ACRES	Transfer 3.0	NWX NEX	12.30 ACRES
	SWX NWX	10.58 ACRES		SEX NEX	1.00 ACRE
	NEX SWX	0.90 ACRE		NEX NWX	6.00 ACRES
	NEX SEX	0.05 ACRE		NWX NWX	3.24 ACRES
	NWX SEX	0.45 ACRE		SWX NWX	1.30 ACRES
	SWX SEX	0.30 ACRE		SEX NWX	2.80 ACRES
	SEX SEX	0.20 ACRE			

SECTION 1

SWX NWX 8.20 ACRES
 SEX NWX 27.30 ACRES
 NEX SWX 8.40 ACRES
 SWX SWX 3.60 ACRES
 NEX SEX 9.24 ACRES

SECTION 2

SWX NEX 2.90 ACRES
 SEX NEX 8.00 ACRES
 NEX NWX 0.70 ACRE
 NEX SEX 5.86 ACRES

SECTION 3

SWX NWX 2.50 ACRES
 SEX NWX 8.28 ACRES

SECTION 4

SEX NWX 4.62 ACRES

SECTION 5

NWX NWX 3.50 ACRES
 SEX SEX 3.78 ACRES

SECTION 7

SEX SWX 2.80 ACRES

SECTION 8

NEX SEX 0.30 ACRE
 NWX SEX 0.60 ACRE

SECTION 10

NWX NEX 1.60 ACRES
 NEX NWX 0.90 ACRE
 NWX NWX 4.20 ACRES
 NWX SWX 0.10 ACRE
 SWX SWX 4.50 ACRES
 SEX SWX 6.00 ACRES

SECTION 11

NWX NEX 4.00 ACRES
 NWX NWX 14.00 ACRES

SECTION 13

NEX NWX 4.00 ACRES
 NWX NWX 5.24 ACRES

SECTION 15

NEX NWX 4.20 ACRES
 SECTION 17

NEX NEX 0.80 ACRE
 SECTION 18

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

SWX SWX 0.20 ACRE
 SECTION 5

SWX NWX 4.60 ACRES
 NEX SWX 4.00 ACRES
 NWX SWX 4.60 ACRES
 SWX SEX 1.80 ACRES
 SEX SEX 4.30 ACRES

SECTION 6

NEX NEX 9.80 ACRES
 NWX NEX 10.00 ACRES
 SWX NWX 1.00 ACRES

SECTION 7

SWX NEX 23.00 ACRES
 SEX NEX 26.60 ACRES
 NWX NWX 10.50 ACRES

SECTION 8

NWX SWX 3.50 ACRES
 SWX SWX 1.10 ACRES

SECTION 9

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

SUPPLEMENTAL - STREAM AND RESERVOIR

SWX SEW 1.00 ACRES
SECTION 9

SEW SWW 21.40 ACRES
SECTION 12

SWW NEW 6.00 ACRES
SEW NEW 4.60 ACRES
NEW SEW 4.60 ACRES
SECTION 10

NEW NWW 20.00 ACRES
SECTION 13
TOWNSHIP 4 SOUTH,
RANGE 12 EAST, W.M.

NWW NEW 5.00 ACRES
NEW NWW 10.00 ACRES
NWW NWW 6.20 ACRES
SWW NWW 3.00 ACRES
NWW SWW 13.50 ACRES
SEW SWW 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 JUN 04 1999, 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.

151 Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76223.

T-8215.LHN

T-9990

STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK and 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~~X~~ SW~~X~~, SECTION 16, T 3 S, R 10 E, WM, and NE~~X~~ SW~~X~~, 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 X NE X	0.5 ACRE	NW X NE X	8.0 ACRES
SECTION 12		SE X NE X	17.0 ACRES
TOWNSHIP 4 SOUTH,		NE X NW X	18.0 ACRES
RANGE 11 EAST, W.M.		NW X NW X	13.2 ACRES
NW X NE X	16.2 ACRES	NW X SE X	10.0 ACRES
SW X NE X	19.0 ACRES	SW X NE X	14.8 ACRES
NE X NW X	0.6 ACRE	SE X SE X	16.9 ACRES
SW X NW X	1.2 ACRES	SECTION 3	
SE X NW X	22.0 ACRES	NE X NE X	5.4 ACRES
SE X SW X	19.6 ACRES	NW X NE X	25.4 ACRES
NE X SE X	10.0 ACRES	NE X NW X	6.0 ACRES
NW X SE X	19.4 ACRES	SE X SW X	7.8 ACRES
SECTION 1		SECTION 4	
SE X NE X	1.0 ACRE	NE X NW X	1.9 ACRES
NE X SW X	7.0 ACRES	NW X NW X	0.2 ACRES
NW X SW X	13.3 ACRES	SW X NW X	2.9 ACRES
SW X SW X	21.9 ACRES	SE X NW X	1.3 ACRES
NE X SE X	0.6 ACRES	NE X SW X	3.6 ACRES
SW X SE X	1.5 ACRES	NW X SW X	2.9 ACRES
SE X SE X	29.4 ACRES	SW X SW X	13.2 ACRES
SECTION 2		SE X SW X	3.8 ACRES
		SECTION 5	

Remain
0.6
17.1

Transfer
0.6
4.9

- 0.07 cfs (priority 4-12-41)
- 0.07 cfs (priority 3-20-51)

Priority Date = 3-20-51 (12.61 cfs)
- 12.61 cfs (+) 982.8 AC = 0.012830688 cfs/AC
Transfer: 5.5 AC (x) 0.012830688 = 0.070568783 → 0.071 cfs
Remain: 977.3 AC (x) 0.012830688 = 12.539

Priority Date = 4-12-41 (11.96 cfs)
- 11.96 cfs (+) 982.8 AC = 0.012169312 cfs/AC
Transfer: 5.5 AC (x) 0.012169312 = 0.066931216 (0.067)
Remain: 977.3 AC (x) 0.012169312 = 11.89306802 (11.893)

T-9990

Cert 76222

Total Remain "Q" = 24.43 cfs < 11.89 - priority = 4-12-41
12.54 - priority = 3-20-51

NW¼ NW¼ 17.7 ACRES
 SW¼ NW¼ 3.2 ACRES
 SE¼ NW¼ 0.9 ACRES
 NE¼ SE¼ 13.9 ACRES
 NW¼ SE¼ 7.1 ACRES
 SE¼ SE¼ 9.0 ACRES

SECTION 7

NE¼ SW¼ 8.8 ACRES
 NW¼ SW¼ 8.4 ACRES
 SW¼ SW¼ 10.0 ACRES
 SE¼ SW¼ 4.0 ACRES
 SW¼ SE¼ 5.0 ACRES

SECTION 8

NE¼ NW¼ 4.0 ACRES
 NW¼ NW¼ 4.0 ACRES
 SE¼ NW¼ 4.0 ACRES
 SE¼ SE¼ 10.1 ACRES

SECTION 9

NE¼ NE¼ 6.6 ACRES
 NW¼ NE¼ 3.2 ACRES
 SE¼ NE¼ 11.7 ACRES

SECTION 10

NE¼ NE¼ 17.8 ACRES
 NW¼ NE¼ 7.8 ACRES
 SW¼ NE¼ 0.7 ACRES
 SE¼ NE¼ 26.6 ACRES
 NE¼ NW¼ 7.1 ACRES
 NW¼ NW¼ 2.9 ACRES
 SE¼ NW¼ 3.1 ACRES

SECTION 11

NE¼ NE¼ 20.0 ACRES
 SE¼ NE¼ 5.0 ACRES
 NE¼ NW¼ 5.0 ACRES
 SE¼ SW¼ 2.1 ACRES

SECTION 12

NE¼ NE¼ 5.0 ACRES
 NW¼ NE¼ 4.0 ACRES

SECTION 13

NE¼ NW¼ 8.4 ACRES

SECTION 15

NE¼ NE¼ 10.0 ACRES
 NW¼ NE¼ 25.0 ACRES

SECTION 16

NW¼ NE¼ 5.0 ACRES
 NW¼ NW¼ 7.0 ACRES

SECTION 17

NE¼ NE¼ 2.5 ACRES

SECTION 18

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

NE¼ SW¼ 7.4 ACRES
 NW¼ SW¼ 20.0 ACRES
 SE¼ SW¼ 11.5 ACRES
 NW¼ SE¼ 4.0 ACRES
 SW¼ SE¼ 8.6 ACRES

SECTION 5

NE¼ SW¼ 20.6 ACRES
 NW¼ SW¼ 10.0 ACRES
 SE¼ SW¼ 37.0 ACRES
 SW¼ SE¼ 20.0 ACRES

SECTION 6

NW¼ NE¼ 20.0 ACRES
 SW¼ NE¼ 25.3 ACRES
 SE¼ NE¼ 18.0 ACRES
 NW¼ NW¼ 20.0 ACRES
 SW¼ NW¼ 8.5 ACRES
 SE¼ NW¼ 11.0 ACRES
 SW¼ SW¼ 5.0 ACRES
 SE¼ SW¼ 4.4 ACRES
 NE¼ SE¼ 8.0 ACRES
 NW¼ SE¼ 2.8 ACRES

SECTION 7

NE¼ NW¼ 20.0 ACRES
 SW¼ NW¼ 22.8 ACRES
 SE¼ NW¼ 7.6 ACRES
 NE¼ SW¼ 5.0 ACRES

SECTION 8

NE¼ SW¼ 6.2 ACRES
 SE¼ SW¼ 7.0 ACRES

SECTION 9

TOWNSHIP 4 SOUTH,
 RANGE 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 ~~JUN 04 1999~~, 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.

151 Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76222.

T-8215.LHN

T-9990

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 for the purpose of supplemental irrigation of 3,435.5 acres

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

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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. Water from the reservoir is to provide a supplemental supply for lands being benefitted 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 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:

SEE NEXT PAGE

3550.0 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) 1.03 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

Acres of land to receive benefit by a water exchange

0.8 acre NE 1/4 NE 1/4
6.0 acres NW 1/4 NE 1/4
Section 12
Township 4 South, Range 11 East, WM

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
Section 3

14.4 acres NE 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
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

17.2 acres NE 1/4 NW 1/4
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
Section 16

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

14.8 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

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 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
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 NW 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

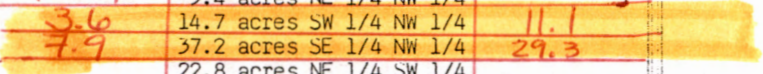
1.0 acre SE 1/4 NE 1/4
2.0 acres NE 1/4 NW 1/4
12.4 acres NW 1/4 NW 1/4
35.6 acres SW 1/4 NW 1/4
34.4 acres SE 1/4 NW 1/4
39.1 acres NE 1/4 SW 1/4
27.2 acres NW 1/4 SW 1/4
25.5 acres SW 1/4 SW 1/4
17.2 acres SE 1/4 SW 1/4
39.4 acres NE 1/4 SE 1/4
38.9 acres NW 1/4 SE 1/4
13.7 acres SW 1/4 SE 1/4
38.6 acres SE 1/4 SE 1/4
Section 2

36.2 acres SE 1/4 NE 1/4
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

Transfer
3.6
7.9

Remain
11.1
29.3



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
 14.1 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

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

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

James E. Secor
 Water Resources Director

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

T-9990

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 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 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* 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

3550 AF (+) 3435.5 AC = 1.033328482 AF/AC @ 1.033328482

Transfer: 11.5 AC (x) 1.033328482 = 11.8827754 AF -> 11.89 AF -> 11.9 AF

Remain: 3424.0 AC (x) 1.03 AF = 3526.72 AF Too Low
3424.0 AC (x) 1.033328482 AF = 3538.116722

Remain: 3538.1 AF

Cert 51486

Acres of land to receive benefit by a water exchange

0.8 acre NE 1/4 NE 1/4
 6.0 acres NW 1/4 NE 1/4
 Section 12
 Township 4 South, Range 11 East, WM

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
 Section 3

14.4 acres NE 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
 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

17.2 acres NE 1/4 NW 1/4
 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
 Section 16

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

14.8 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

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 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
 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 NW 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

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
 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
 38.9 acres NW 1/4 SE 1/4
 13.7 acres SW 1/4 SE 1/4
 38.6 acres SE 1/4 SE 1/4
 Section 2

36.2 acres SE 1/4 NE 1/4
 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

Transfer | *Remain*
 3.6
 7.9 | 11.1
 29.3

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
 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

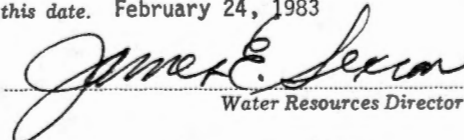
The following lands were vested under this permit, but as a result of Transfers T-4704, T-4800 and T-4957 will not be included under certificate of water right until the transfers have been completed.

Under Exchange	Direct from Reservoir
0.9 acre NE 1/4 NW 1/4	21.1 acres SE 1/4 NE 1/4
0.1 acre NW 1/4 NW 1/4	2.5 acres NE 1/4 SE 1/4
Section 4	Section 12
Township 4 South, Range 12 East, WM	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

T-9990

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO **4.83 cfs (±) 386.25 AC = 0.012504854 → 0.013 cfs/AC**

BADGER IMPROVEMENT DISTRICT **Transfer = 0.4 AC (x) 0.013 = 0.0052 → 0.005 cfs**
80309 ROSS ROAD
TYGH VALLEY, OR 97063

Remain = 385.85 AC (x) 0.013 = 4.823125 → 4.825 cfs

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:

SW¹/₄ NE¹/₄, SECTION 32, T 3 S, R 11 E, WM; HIGHLAND DITCH - N 65° 21' W, 1938.2 FEET FROM THE E¹/₄ CORNER, SECTION 32.

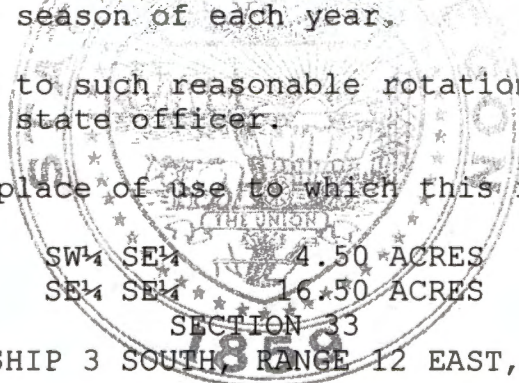
The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet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

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

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

SW¹/₄ SE¹/₄ 4.50 ACRES
SE¹/₄ SE¹/₄ 16.50 ACRES

SECTION 33
TOWNSHIP 3 SOUTH, RANGE 12 EAST, W.M.



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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.30 ACRE
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.90 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.00 ACRES

SECTION 12

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

Remain			Transfer
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.90 ACRES	
7.25	SW $\frac{1}{4}$ NW $\frac{1}{4}$	7.65 ACRES	0.4
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.05 ACRE	
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	5.70 ACRES	
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	8.00 ACRES	
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.20 ACRES	

4.825 cfs

0.005 cfs

SECTION 1

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.25 ACRE
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.30 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.40 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.60 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 13.10 ACRES

SECTION 2

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.50 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.00 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.00 ACRES

SECTION 3

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 13.50 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.50 ACRES

SECTION 5

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.50 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.20 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.30 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.00 ACRES

SECTION 7

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.80 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.00 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.80 ACRES

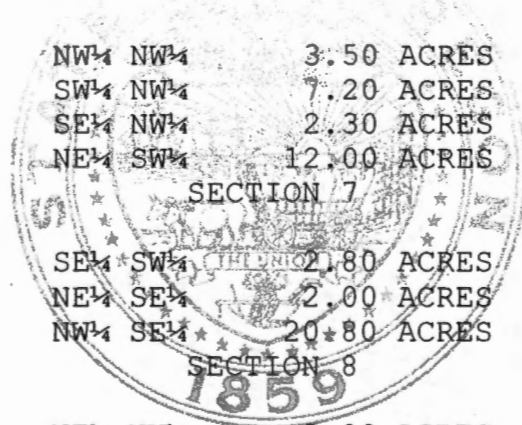
SECTION 8

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.00 ACRES

SECTION 9

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.60 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.90 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.20 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.10 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.50 ACRES

SECTION 11



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

SECTION 12

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

SECTION 15

NW¹/₄ SW¹/₄ 2.00 ACRES

SECTION 16

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

SECTION 17

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

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

SECTION 5

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

SECTION 6

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

SECTION 7

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

SECTION 9

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

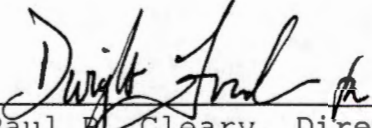
This certificate describes that portion of the water right confirmed by Certificate 46530, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered November 27, 1979, approving Transfer 4324, entered April 5, 1985 approving Transfer 5606,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

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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

Issued MARCH 18, 2004.



Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

T-5606A.SB

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

Badger Lake Res (Suppl)

11.86 cfs (x) 478.3 = 0.024796153 cfs/ac

11.72 cfs (x) 650.72 = 0.018010819 cfs/ac

Transfer: 5.3 ac (x) 0.024796153 = 0.131419611
 Transfer 0.13 cfs ←

Transfer: 30 ac (x) 0.018010819 = 0.054032456
 5.3 Transfer 0.05 cfs ←

Remain: 473 ac (x) 0.024796153 = 11.72858037
 11.73 cfs ←

Remain: 647.72 (x) 0.018010819 = 11.66596755
 645.42 11.67 cfs ←

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BADGER IMPROVEMENT DISTRICT
 80309 ROSS ROAD
 TYGH VALLEY, OREGON 97063

473.0 Remain

645.42
 647.72
 Remain

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 ¼ NE ¼, 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 ¼ SW ¼ 4.0 ACRES
SECTION 33
T 3 S, R 12 E, W.M.

SE ¼ SE ¼ 15.0 ACRES
SECTION 2
T 4 S, R 11 E, W.M.

SW ¼ NE ¼ 15.0 ACRES
SW ¼ NW ¼ 8.6 ACRES
SE ¼ NW ¼ 15.0 ACRES
SW ¼ SE ¼ 20.0 ACRES
SE ¼ SE ¼ 30.0 ACRES
SECTION 1

SW ¼ NW ¼ 34.0 ACRES
SE ¼ SW ¼ 17.7 ACRES
NE ¼ SE ¼ 16.9 ACRES
SECTION 2

NW ¼ NE ¼ 5.0 ACRES
SW ¼ NE ¼ 20.0 ACRES
SE ¼ NE ¼ 8.0 ACRES
NE ¼ NW ¼ 15.7 ACRES
NE ¼ SE ¼ 8.0 ACRES
NW ¼ SE ¼ 6.0 ACRES
SE ¼ SE ¼ 5.0 ACRES
SECTION 3

SW ¼ NW ¼ 2.5 ACRES
SE ¼ NW ¼ 15.0 ACRES
SW ¼ SW ¼ 11.7 ACRES
SECTION 4

SE ¼ NW ¼ 15.0 ACRES
SECTION 5

SE ¼ SE ¼ 20.0 ACRES
SECTION 7

SW ¼ SW ¼ 8.0 ACRES
SECTION 8

NW ¼ NW ¼ 5.0 ACRES
SW ¼ SE ¼ 7.0 ACRES
SE ¼ SE ¼ 6.5 ACRES
SECTION 9

SW ¼ NE ¼ 5.3 ACRES
NE ¼ SE ¼ 7.3 ACRES
NW ¼ SE ¼ 10.6 ACRES
SECTION 10

NE ¼ NW ¼ 10.0 ACRES
SE ¼ SW ¼ 6.0 ACRES
SECTION 11

NW ¼ NE ¼ 12.0 ACRES
NE ¼ NW ¼ 4.0 ACRES
SECTION 13

NE ¼ NE ¼ 2.5 ACRES
SECTION 18
T 4 S, R 12 E, W.M.

NE ¼ SE ¼ 10.0 ACRES
NW ¼ SE ¼ 10.0 ACRES
SE ¼ SE ¼ 10.0 ACRES
SECTION 6

Trans.
2.3
3.0
Total 5.3

RR.
6.3
12.0

NE ¼ NE ¼ 14.2 ACRES
NE ¼ NW ¼ 26.8 ACRES
SECTION 7

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

SUPPLEMENTAL - BADGER LAKE RESERVOIR

SW ¼ SW ¼ 4.00 ACRES
SE ¼ SE ¼ 14.14 ACRES
SECTION 33
T 3 S, R 12 E, W.M.

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

SE ¼ SE ¼ 10.38 ACRES
SECTION 2

SW ¼ SW ¼ 8.00 ACRES
NW ¼ SE ¼ 12.45 ACRES
SECTION 8

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

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

233
Trans.
3.0
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 ¼ SE ¼ 28.00 ACRES
SE ¼ SE ¼ 31.00 ACRES
SECTION 1

RR
9.22
12.0

SW ¼ NE ¼ 5.33 ACRES
NE ¼ SE ¼ 7.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SECTION 10

SW ¼ NW ¼ 25.80 ACRES
SE ¼ SW ¼ 14.14 ACRES
NE ¼ SE ¼ 20.76 ACRES
SECTION 2

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

NW ¼ NE ¼ 5.00 ACRES
SW ¼ NE ¼ 27.26 ACRES
NE ¼ NW ¼ 15.00 ACRES
NE ¼ SE ¼ 18.14 ACRES
NW ¼ SE ¼ 6.00 ACRES
SE ¼ SE ¼ 7.00 ACRES
SECTION 3

SW ¼ NE ¼ 15.10 ACRES
NW ¼ NW ¼ 14.76 ACRES
SW ¼ NW ¼ 6.00 ACRES
SE ¼ NE ¼ 7.50 ACRES
NE ¼ SE ¼ 2.50 ACRES
SECTION 12

SE ¼ NW ¼ 11.72 ACRES
SECTION 4

NW ¼ NE ¼ 8.00 ACRES
NE ¼ NW ¼ 4.00 ACRES
SECTION 13

NE ¼ NE ¼ 13.00 ACRES
SE ¼ NW ¼ 10.38 ACRES
SECTION 5

NW ¼ NW ¼ 7.26 ACRES
SECTION 15

SW ¼ NW ¼ 7.00 ACRES
SE ¼ NW ¼ 2.00 ACRES

NE ¼ NE ¼ 1.70 ACRES
SECTION 18
T 4 S, R 12 E, W.M.

SW ¼ SW ¼ 11.00 ACRES
SE ¼ SW ¼ 3.00 ACRES
SECTION 5

NE ¼ NE ¼ 9.40 ACRES
NE ¼ NW ¼ 26.80 ACRES
SECTION 7

NE ¼ SE ¼ 10.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SE ¼ SE ¼ 20.00 ACRES
SECTION 6

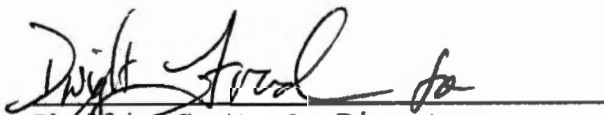
NW ¼ NW ¼ 20.00 ACRES
SE ¼ NW ¼ 4.00 ACRES
SW ¼ NE ¼ 28.66 ACRES
SECTION 8
T 4 S, R 13 E, W.M.

This certificate 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 DISTRICT

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 for the purpose of irrigation of 482.3 acres and supplemental irrigation of 654.72 acres, domestic and stock use 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 SW 1/4 NE 1/4, Section 32, T. 3 S., R. 11 E., W. 1/4

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, 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:

SEE NEXT PAGE

primary IR - 12.06 cfs (Badger Cr.) for 482.3 AC
12.06 (÷) 482.3 = 0.025005184 → 0.025 cfs/AC

Transfer-Primary IR: 5.3 AC (x) 0.025 = 0.1325 →

Suppl IR - 11.8 cfs (Badger L. Res) for 654.72 AC
11.8 (÷) 654.72 = 0.018022972 → 0.018 cfs/AC

Transfer- Suppl IR: 3.0 AC (x) 0.018 = 0.054 →

Cert 46532

Cert 46532
Cancelled
See
New
Cert
82086.

Transfer:

Primary IR - 5.3 AC

0.133 cfs

Transfer Suppl IR - 3.0 AC

0.054 cfs

PRIMARY-BADGER CREEK

4.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 33
T. 3 S., R. 12 E., W. M.

15.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2
T. 4 S., R. 11 E., W. M.

15.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
8.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
30.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1

34.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
17.7 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
16.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

5.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
8.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
15.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
8.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3

2.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
11.7 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 4

15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5

20.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

8.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 8

5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9

5.3 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.3 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10

10.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
6.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11

12.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
4.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13

2.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18

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

10.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
10.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6

14.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
26.8 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

10.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 8

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

SUPPLEMENTAL-BADGER LAKE RESERVOIR

4.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
14.14 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 33
T. 3 S., R. 12 E., W. M.

10.38 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

8.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12
T. 4 S., R. 11 E., W. M.

15.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
11.52 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
15.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
5.35 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
28.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
31.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1

25.80 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
14.14 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
20.76 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

5.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
27.26 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
15.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
18.14 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
7.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3

11.72 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 4

13.00 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
10.38 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5

7.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
8.95 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
16.22 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

8.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
12.45 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8

Remain
6.3
12.0

Transfer
2.3
3.0

T-9313 APOU #11

T-9313 APOU #11

Remain
12.0

Transfer
3.0

4.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
7.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.50 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9

5.33 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10

17.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11

15.10 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
14.76 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
6.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
7.50 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.50 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12

8.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
4.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13

7.26 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 15

1.70 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18
T. 4 S., R. 12 E., W. M.

11.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 5

10.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
20.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6

9.40 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
26.80 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

20.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
4.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.66 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
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

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 location, measured at the points of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 32, T 3 S R 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 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 ¼ SW ¼ 4.0 ACRES SECTION 33 T 3 S, R 12 E, W.M.	SE ¼ SE ¼ 20.0 ACRES SECTION 7
SE ¼ SE ¼ 15.0 ACRES SECTION 2 T 4 S, R 11 E, W.M.	SW ¼ SW ¼ 8.0 ACRES SECTION 8
SW ¼ NE ¼ 15.0 ACRES SW ¼ NW ¼ 8.6 ACRES SE ¼ NW ¼ 15.0 ACRES SW ¼ SE ¼ 20.0 ACRES SE ¼ SE ¼ 30.0 ACRES SECTION 1	NW ¼ NW ¼ 5.0 ACRES SW ¼ SE ¼ 7.0 ACRES SE ¼ SE ¼ 6.5 ACRES SECTION 9
SW ¼ NW ¼ 34.0 ACRES SE ¼ SW ¼ 17.7 ACRES NE ¼ SE ¼ 16.9 ACRES SECTION 2	SW ¼ NE ¼ 5.3 ACRES NE ¼ SE ¼ 7.3 ACRES NW ¼ SE ¼ 10.6 ACRES SECTION 10
NW ¼ NE ¼ 5.0 ACRES SW ¼ NE ¼ 20.0 ACRES SE ¼ NE ¼ 8.0 ACRES NE ¼ NW ¼ 15.7 ACRES NE ¼ SE ¼ 8.0 ACRES NW ¼ SE ¼ 6.0 ACRES SE ¼ SE ¼ 5.0 ACRES SECTION 3	NE ¼ NW ¼ 10.0 ACRES SE ¼ SW ¼ 6.0 ACRES SECTION 11
SW ¼ NW ¼ 2.5 ACRES SE ¼ NW ¼ 15.0 ACRES SW ¼ SW ¼ 11.7 ACRES SECTION 4	NW ¼ NE ¼ 12.0 ACRES NE ¼ NW ¼ 4.0 ACRES SECTION 13
SE ¼ NW ¼ 15.0 ACRES SECTION 5	NE ¼ NE ¼ 2.5 ACRES SECTION 18 T 4 S, R 12 E, W.M.
	NE ¼ SE ¼ 10.0 ACRES NW ¼ SE ¼ 10.0 ACRES SE ¼ SE ¼ 10.0 ACRES SECTION 6

NE ¼ NE ¼ 14.2 ACRES
NE ¼ NW ¼ 26.8 ACRES
SECTION 7

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

SUPPLEMENTAL - BADGER LAKE RESERVOIR

SW ¼ SW ¼ 4.00 ACRES
SE ¼ SE ¼ 14.14 ACRES
SECTION 33
T 3 S, R 12 E, W.M.

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

SE ¼ SE ¼ 10.38 ACRES
SECTION 2

SW ¼ SW ¼ 8.00 ACRES
NW ¼ SE ¼ 12.45 ACRES
SECTION 8

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

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

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 ¼ SE ¼ 28.00 ACRES
SE ¼ SE ¼ 31.00 ACRES
SECTION 1

SW ¼ NE ¼ 5.33 ACRES
NE ¼ SE ¼ 7.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SECTION 10

SW ¼ NW ¼ 25.80 ACRES
SE ¼ SW ¼ 14.14 ACRES
NE ¼ SE ¼ 20.76 ACRES
SECTION 2

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

NW ¼ NE ¼ 5.00 ACRES
SW ¼ NE ¼ 27.26 ACRES
NE ¼ NW ¼ 15.00 ACRES
NE ¼ SE ¼ 18.14 ACRES
NW ¼ SE ¼ 6.00 ACRES
SE ¼ SE ¼ 7.00 ACRES
SECTION 3

SW ¼ NE ¼ 15.10 ACRES
NW ¼ NW ¼ 14.76 ACRES
SW ¼ NW ¼ 6.00 ACRES
SE ¼ NE ¼ 7.50 ACRES
NE ¼ SE ¼ 2.50 ACRES
SECTION 12

SE ¼ NW ¼ 11.72 ACRES
SECTION 4

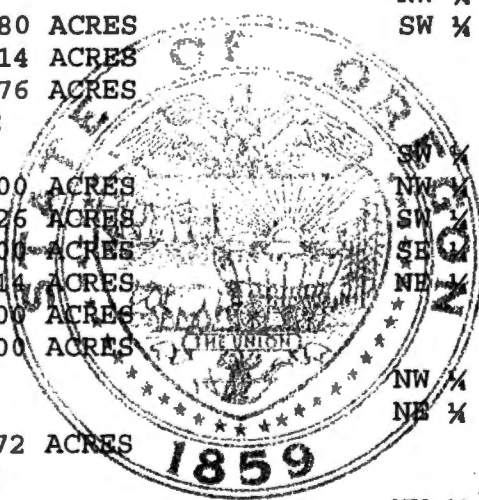
NW ¼ NE ¼ 8.00 ACRES
NE ¼ NW ¼ 4.00 ACRES
SECTION 13

NE ¼ NE ¼ 13.00 ACRES
SE ¼ NW ¼ 10.38 ACRES
SECTION 5

NW ¼ NW ¼ 7.26 ACRES
SECTION 15

SW ¼ NW ¼ 7.00 ACRES
SE ¼ NW ¼ 2.00 ACRES

NE ¼ NE ¼ 1.70 ACRES
SECTION 18
T 4 S, R 12 E, W.M.



SW ¼ SW ¼ 11.00 ACRES
SE ¼ SW ¼ 3.00 ACRES
SECTION 5

NE ¼ NE ¼ 9.40 ACRES
NE ¼ NW ¼ 26.80 ACRES
SECTION 7

NE ¼ SE ¼ 10.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SE ¼ SE ¼ 20.00 ACRES
SECTION 6

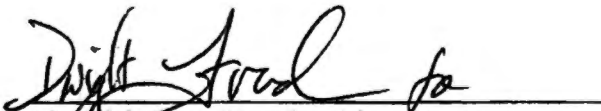
NW ¼ NW ¼ 20.00 ACRES
SE ¼ NW ¼ 4.00 ACRES
SW ¼ NE ¼ 28.66 ACRES
SECTION 8
T 4 S, R 13 E, W.M.

This certificate 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 **F. A. MORROW** ⁹⁷⁰⁶³
of **Wasco**, State of **Oregon**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
BADGER CREEK
a tributary of **White River** for the purpose of **Irrigation**
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
0.13 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 acres in SW1/4, Section 1, 5 acres in SW1/4, Section 4,**
T. 4 S. E. 12 R. W. N., in Wasco County, Oregon, being a total of 10 acres.

Transfer		Remain
3.0	SWNW - Sec. 1 - 5.0	2.0
—	SENEW - Sec. 4 - 5.0	5.0
	T. 4s, R. 12E, Wm	

0.039 cfs →

← 0.091 cfs

$0.13 \text{ cfs } (\div) 10.0 \text{ AC} = 0.013 \text{ cfs/AC}$
 - $0.013 \text{ cfs } (x) 3.0 \text{ AC} = \boxed{0.039 \text{ cfs}} - \text{Transfer}$
 - $0.013 \text{ cfs } (x) 7.0 \text{ AC} = \boxed{0.091 \text{ cfs}} - \text{Remain}$

Transfer
Remain

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 con-
firmed and limited.

WITNESS the signature of the State Engineer,
affixed this **23rd** day
of **June**, 19**27**.

State Engineer.

Recorded in State Record of Water Right Certificates, Volume **7**, page **221**

X-9990

✓OK



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.

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APPLICATION FOR:

Please check one

<input checked="" type="checkbox"/> Water Right Transfer	<input type="checkbox"/> Temporary Transfer (number of years _____)	<input type="checkbox"/> Drought Transfer
<input type="checkbox"/> Historic Change in POD	<input type="checkbox"/> Permit Amendment	<input type="checkbox"/> Point of Diversion Change Due to Government Action
<input type="checkbox"/> To Instream Use		
<input type="checkbox"/> Other Transfer		

COPY

1. APPLICANT INFORMATION

Name: McAllister Ranches

Address: 80455 Wamic Market Road

Tygh Valley OR 97063

City State Zip

Phone: (503) 784-0836 (cell)

Home Work Other

*Fax: (541) 544-2970 *E-Mail address: _____

**Optional information*

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: Tennessee Engineering Corporation / Larry Toll

Address: 409 Lincoln Street

The Dalles OR 97058

City State Zip

Phone: (541) 296-9177

Home Work Other

*Fax: (541) 296-6657 *E-Mail address: ltoll@tennesoneng.com

**Optional information*

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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)
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) <input type="checkbox"/> 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.)	<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<p style="text-align: center;">Proposed new use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete Supplemental Form B) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: Change 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.)

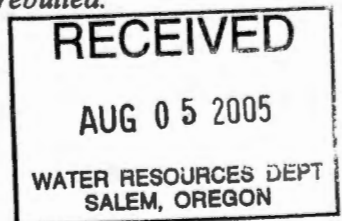
The Badger Ditch delivers water to a number of users. The Badger Ditch diverts up to 50 cfs from Badger Creek and distributes the water. Individual users flood and sprinkle irrigate.

System capacity: 50 cubic 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



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):

<input checked="" type="checkbox"/> Certificated Right	<u>7221</u> Certificate Number	<u>6734</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	 Name of Decree	 Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for which an Amendment is Requested	 Permit Number	 Completion Date of Permit

Name on Permit, Certificate, or Decree: F.A. Morrow

County: Wasco Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: _____

Source(s) of Water Listed on Right: Badger Creek
 Tributary to: Tygh Creek (Cent. Jay's White River)

Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: _____

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? Permits 27390, 33228, and 39616 Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

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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

Cert 7221

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

Township	Range	Mer	Sec	¼ ¼ 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	¼ ¼ 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

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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):

<input checked="" type="checkbox"/> Certificated Right	46532 ^{cancelled} <u>82086</u>	<u>15165</u>
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____	_____
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for which an Amendment is Requested	_____	_____
	Permit Number	Completion Date of Permit

Name on Permit, Certificate, or Decree: Badger Improvement District

County: Wasco Authorized Use(s): Irrigation, Supplemental irrigation, domestic, stock use

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: _____

Source(s) of Water Listed on Right: Badger Creek and Badger Lake Reservoir

Tributary to: Tygh Creek (Cert says White River)

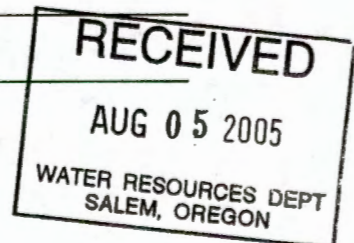
Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: _____

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? Permits 33228 and 39616
Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: No domestic involved with this transfer.
Permits 33228 and 39616 are supplemental to only the land in the SE/NW, Sec. 1

T. 9990

Transfer Application/3 B



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	¼ ¼ 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	Range	Mer	Sec	¼ ¼ 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

8.6 total in QQ permit
 15.0 " " " " " "
 15.0 total in QQ permit

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 SALEM, OREGON

T. 9990

Transfer Application/4 B

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 Cert 82086 ✓

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

Township		Range		Mer	Sec	¼ ¼ 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:

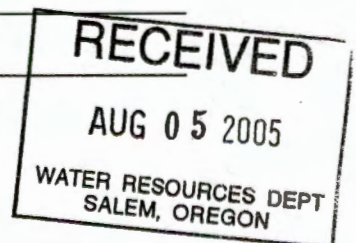
Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1			Primary
						NE/SW	--	2.0 + 0.3 ✓
						NW/SW	--	0.3 + 0.8 ✓
						SW/SW	--	1.0 ✓
						SE/SW	--	0.9
								Supplemental
						NE/SW	--	0.3 ✓
						NW/SW	--	0.8 ✓
						SW/SW	--	1.0 ✓
						SE/SW	--	0.9 ✓

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: _____

T-9990

Transfer Application/5 B



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):

<input checked="" type="checkbox"/> Certificated Right	80637 Certificate Number	2163 Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for which an Amendment is Requested	Permit Number	Completion Date of Permit

Name on Permit, Certificate, or Decree: Badger Improvement District

County: Wasco Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: _____

Source(s) of Water Listed on Right: South Fork Badger Creek

Tributary to: Tygh Creek

Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: _____

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? _____
Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: _____

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Transfer Application/3 C

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

Cert 80637 ✓

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

Township		Range		Mer	Sec	¼ ¼ 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	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	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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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 *Cert 76222*

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

Township	Range	Mer	Sec	¼ ¼ 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	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	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

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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.

Cert 76223 ✓

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	¼ ¼ 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	¼ ¼ 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: From Badger Lake Reservoir for Supplemental Irrigation.

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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.

Cert 51486

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	¼ ¼ 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	¼ ¼ 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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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

Cert 51487 ✓

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

Township		Range		Mer	Sec	¼ ¼ 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	¼ ¼ 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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6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No

Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No

Is water for any of the rights supplied under a water service agreement or other contract for stored water with a Federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

Badger Improvement District	Pine Hollow Cooperative
80309 Ross Road	80309 Ross Road
Wamic, OR 97063	Wamic, OR 97063

List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Wasco County

7. LAND OWNERSHIP

Does the applicant own the lands FROM which the right is being transferred? Yes No
If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): Durmac Ranches, Inc.

Address: 80455 Wamic Market Road

Tygh Valley OR 97063

City State Zip

Does the applicant own the lands TO which the right is being transferred? Yes No
If "No", provide the following information:

Names of Receiving Landowner(s): _____

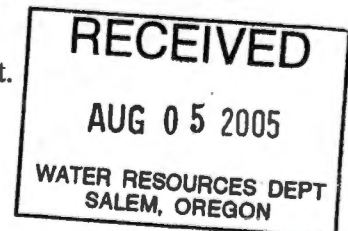
Address: _____

City State Zip

Check one of the following:

- The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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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.

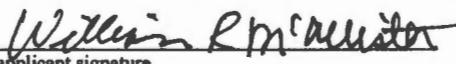
<p>Form A – Evidence of Use Affidavits</p> <p><input type="checkbox"/> At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.</p> <p>Form B – Instream Water Right Transfer</p> <p><input type="checkbox"/> Required for instream transfers only.</p> <p>Map</p> <p><input checked="" type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>Evidence of Lien Holder Notification</p> <p><input type="checkbox"/> 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.</p> <p>Recorded Deed</p> <p><input type="checkbox"/> Required for temporary transfers only.</p>	<p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed</p> <p><input checked="" type="checkbox"/> Not Required if all of the following are met:</p> <ul style="list-style-type: none"> ① In EFU zone or irrigation district, ② Change in place of use only, ③ No structural changes needed, including diversion works, delivery facilities, other structures, and ④ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> The application is for a surface water transfer and water well reports are not required.</p> <p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p>
--	--

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

- (1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and
- (2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

I (we) affirm that the information contained in this application is true and accurate.

	8/1/05
applicant signature	name (print)
RECEIVED	date
applicant signature	name (print)

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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FEE
\$350⁰⁰

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Name	USE	Source	Trib	PR Date	APP	Per	cont
F.A. Morrow	IR	Badger creek	Tygh Creek	4-29-1925	S-10137	S-6734	7221 ✓ NC
Badger Improvement District	DO IR LV IS	Threemile CR Badger Lake RES	White River Badger Creek	10-21-1929	⊕	S-15165	46532 ✓ CN
"	IR	Highland Ditch	Badger Creek	8-8-1914	⊕	S-2163	80637 ✓ NC
"	IR	Badger Creek RES	White River Badger Creek	4-12-1941 3-20-1951	⊕	S-22633	76222 ✓ NC
"	IC	Badger Creek RES	White River Tygh Creek	3-22-1961	⊕	S-27390	76223 ✓ NC
Pine Hollow Coop. Dept Fish & Wildlife	IR RC	Badger Creek Pine Hollow RES	Tygh Creek Pine Hollow	7-23-1968	S-45212	S-33228	51486 ✓ NC
Pine Hollow Coop.	IS	Threemile CR Pine Hollow RES	White River Pine Hollow	5-1-1975	S-53066	S-39616	51487 ✓ NC

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

State of Oregon)
) ss
 County of Wasco)

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:

1. I attest that:

- 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
- 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.

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:

Township		Range		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

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(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.

T-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.

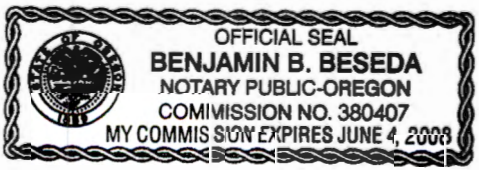
5. The water delivery system used to apply water as authorized by the right is described below:
The water is delivered to the ranch by the Badger Ditch system. Water is delivered by gravity to a pond. The water is then pumped from the pond and used to sprinkle irrigate about 135 acres in this portion 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),
 - 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 that assessment is current and no back assessment is outstanding

William Rm Calista
Signature of Affiant

8/1/05
Date

Signed and sworn to (or affirmed) before me this 1st day of August, 2005.



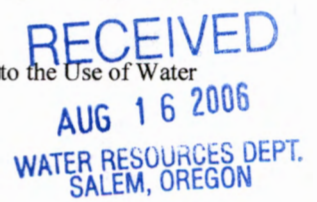
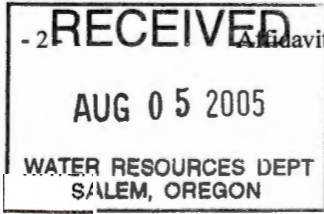
[Signature]
Notary Public for Oregon

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

7-9990



- 2 Affidavit Attesting to the Use of Water

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That **F. A. MORROW**

of **Wasco**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **WASCO CREEK**

a tributary of **White River** for the purpose of **irrigation** under Permit No. **5754** 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 **0.13 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 acres in SW 1/4, Section 1, T. 4 S., R. 12 E., W. 4 N., in Wasco County, Oregon, being a total of 10 acres.**

T-9990 RR
3.0 Ac 2.0 Ac

$10 \text{ Ac} \left(\frac{1}{80} \frac{\text{cfs}}{\text{Ac}} \right) = 0.125 \text{ rounded to } 0.13 \text{ cfs}$

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

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 **23rd** day of **June**, 19**25**.

State Engineer.

Recorded in State Record of Water Right Certificates, Volume **7**, page **221**

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WATER RESOURCES DEPT. SALEM, OREGON

VOR

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, 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 477.0 for the purpose of irrigation of 482.3 acres and supplemental irrigation of 654.72 acres, domestic and stock use 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

25.68
11.75

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 11.00 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 SW 1/4 NE 1/4, 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, 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:

SEE NEXT PAGE

For Primary Irrigation: $\frac{482.3 \text{ Ac}}{12.06 \text{ cfs}} = \frac{40 \text{ Ac}}{\text{cfs}}$ or $\frac{1}{40}$ cfs per Ac
 $5.3 \text{ Ac} (\frac{1}{40} \text{ cfs/Ac}) = 0.13 \text{ cfs}$ for T-9990

For Supp'l Irrigation: $\frac{654.72 \text{ Ac}}{11.80 \text{ cfs}} = 55.48 \text{ Ac}$ or $\frac{1}{55.48}$ cfs per Ac
 $3.0 \text{ Ac} (\frac{1}{55.48} \text{ cfs/Ac}) = 0.054 \text{ cfs}$ for T-9990

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T-4313

Per 5-15765

PRIMARY-BADGER CREEK

4.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 33
T. 3 S., R. 12 E., W. M.

15.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2
T. 4 S., R. 11 E., W. M.

15.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ T-9990 RR
8.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.3 6.3
15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.0 12.0
20.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
30.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1

34.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
17.7 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
16.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

5.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
8.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
15.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ T-9313 APOU #11
8.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3

2.5 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
11.7 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 4

15.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5

20.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

8.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 8

5.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9

5.3 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.3 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.6 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10

10.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
6.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11

12.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
4.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13

2.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18

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

10.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
10.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6

14.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
26.8 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

10.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
5.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 8

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

SUPPLEMENTAL-BADGER LAKE RESERVOIR

4.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
14.14 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 33
T. 3 S., R. 12 E., W. M.

10.38 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

8.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12
T. 4 S., R. 11 E., W. M.

15.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ T-9990 RR
11.52 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.0 12.0
15.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
5.35 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
28.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
31.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1

25.80 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
14.14 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
20.76 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 2

5.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
27.26 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
15.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
4.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ T-9313 APOU #11
18.14 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
7.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3

11.72 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 4

13.00 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
10.38 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5

7.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
2.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
8.95 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
16.22 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

8.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
12.45 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8

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WATER RESOURCES DEPT.
SALEM, OREGON

4.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
7.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.50 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9

5.33 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10

17.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11

15.10 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
14.76 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
6.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
7.50 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.50 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12

8.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
4.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13

7.26 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 15

1.70 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18
T. 4 S., R. 12 E., W. M.

11.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 5

10.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
20.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6

9.40 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
26.80 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

20.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
4.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.66 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
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


Water Resources Director

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

v R R C F

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

T-9990:

$$\frac{386.25 \text{ Ac}}{4.83 \text{ cfs}} = 80 \frac{\text{Ac}}{\text{cfs}}$$

$$= \frac{1}{80} \text{ cfs per Ac}$$

$$0.4 \text{ Ac} \times \frac{1}{80} = 0.005 \text{ cfs}$$

THIS CERTIFICATE ISSUED TO

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 cfs

The point of diversion is located as follows:

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

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

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

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

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.50 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.50 ACRES
 SECTION 33

TOWNSHIP 3 SOUTH RANGE 12 EAST, W.M.

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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

Per. 2163

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.30 ACRE
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.90 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.00 ACRES

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

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.90 ACRES T-9990 RR
 ↗ SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.65 ACRES 0.40 7.25
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.05 ACRE
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.70 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.00 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.20 ACRES

SECTION 1

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.25 ACRE
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.30 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.40 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.60 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 13.10 ACRES

SECTION 2

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.50 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.00 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.00 ACRES

SECTION 3

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 13.50 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.50 ACRES

SECTION 5

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.50 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.20 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.30 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.00 ACRES

SECTION 7

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.80 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.00 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.80 ACRES

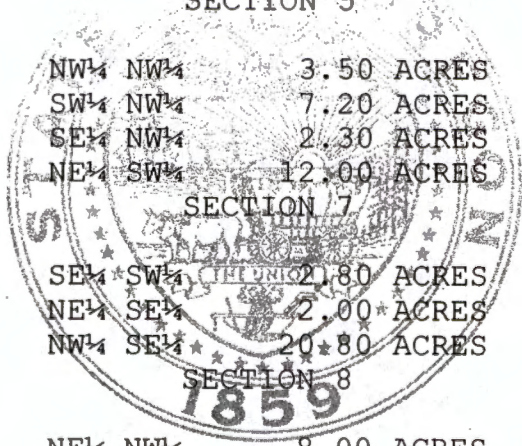
SECTION 8

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.00 ACRES

SECTION 9

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.60 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.90 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.20 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.10 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.50 ACRES

SECTION 11



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

SECTION 12

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

SECTION 15

NW¹/₄ SW¹/₄ 2.00 ACRES

SECTION 16

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

SECTION 17

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

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

SECTION 5

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

SECTION 6

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

SECTION 7

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

SECTION 9

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

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WATER RESOURCES DEPT.
SALEM, OREGON

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

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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

Issued MARCH 18, 2004.



Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

T-5606A.SB

STATE OF OREGON
 COUNTY OF WASCO
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
 BADGER IMPROVEMENT DISTRICT
 80309 ROSS ROAD
 TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK and a RESERVOIR constructed under Permit R-773, a tributary of the WHITE RIVER, for IRRIGATION of 982.8 ACRES. *48.68%*

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. *51.32%*
-0.138 cfs

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 16, T 3 S, R 10 E, WM, and NE $\frac{1}{4}$ SW $\frac{1}{4}$, 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 $\frac{1}{4}$ NE $\frac{1}{4}$	0.5 ACRE	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.0 ACRES
SECTION 12		SE $\frac{1}{4}$ NE $\frac{1}{4}$	17.0 ACRES
TOWNSHIP 4 SOUTH,		NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.0 ACRES
RANGE 11 EAST, W.M.		NW $\frac{1}{4}$ NW $\frac{1}{4}$	13.2 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	16.2 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	19.0 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.8 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.6 ACRE	SE $\frac{1}{4}$ SE $\frac{1}{4}$	16.9 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2 ACRES	SECTION 3	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	22.0 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	19.6 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	25.4 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	19.4 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.8 ACRES
SECTION 1		SECTION 4	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.0 ACRE	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.3 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.9 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	21.9 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.3 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.6 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	3.6 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.5 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.9 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	29.4 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	13.2 ACRES
SECTION 2		SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.8 ACRES
		SECTION 5	

-5.5 Ac

48.68%

51.32%

-0.138 cfs

T-9990 RR

*0.6 0.6
4.9 17.1*

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 WATER RESOURCES DEPT.
 SALEM, OREGON

T-9990

Per S-22633

NW~~X~~ NW~~X~~ 17.7 ACRES
SW~~X~~ NW~~X~~ 3.2 ACRES
SE~~X~~ NW~~X~~ 0.9 ACRES
NE~~X~~ SE~~X~~ 13.9 ACRES
NW~~X~~ SE~~X~~ 7.1 ACRES
SE~~X~~ SE~~X~~ 9.0 ACRES

SECTION 7

NE~~X~~ SW~~X~~ 8.8 ACRES
NW~~X~~ SW~~X~~ 8.4 ACRES
SW~~X~~ SW~~X~~ 10.0 ACRES
SE~~X~~ SW~~X~~ 4.0 ACRES
SW~~X~~ SE~~X~~ 5.0 ACRES

SECTION 8

NE~~X~~ NW~~X~~ 4.0 ACRES
NW~~X~~ NW~~X~~ 4.0 ACRES
SE~~X~~ NW~~X~~ 4.0 ACRES
SE~~X~~ SE~~X~~ 10.1 ACRES

SECTION 9

NE~~X~~ NE~~X~~ 6.6 ACRES
NW~~X~~ NE~~X~~ 3.2 ACRES
SE~~X~~ NE~~X~~ 11.7 ACRES

SECTION 10

NE~~X~~ NE~~X~~ 17.8 ACRES
NW~~X~~ NE~~X~~ 7.8 ACRES
SW~~X~~ NE~~X~~ 0.7 ACRE
SE~~X~~ NE~~X~~ 26.6 ACRES
NE~~X~~ NW~~X~~ 7.1 ACRES
NW~~X~~ NW~~X~~ 2.9 ACRES
SE~~X~~ NW~~X~~ 3.1 ACRES

SECTION 11

NE~~X~~ NE~~X~~ 20.0 ACRES
SE~~X~~ NE~~X~~ 5.0 ACRES
NE~~X~~ NW~~X~~ 5.0 ACRES
SE~~X~~ SW~~X~~ 2.1 ACRES

SECTION 12

NE~~X~~ NE~~X~~ 5.0 ACRES
NW~~X~~ NE~~X~~ 4.0 ACRES

SECTION 13

NE~~X~~ NW~~X~~ 8.4 ACRES

SECTION 15

NE~~X~~ NE~~X~~ 10.0 ACRES
NW~~X~~ NE~~X~~ 25.0 ACRES

SECTION 16

NW~~X~~ NE~~X~~ 5.0 ACRES
NW~~X~~ NW~~X~~ 7.0 ACRES

SECTION 17

NE~~X~~ NE~~X~~ 2.5 ACRES

SECTION 18

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

NE~~X~~ SW~~X~~ 7.4 ACRES
NW~~X~~ SW~~X~~ 20.0 ACRES
SE~~X~~ SW~~X~~ 11.5 ACRES
NW~~X~~ SE~~X~~ 4.0 ACRES
SW~~X~~ SE~~X~~ 8.6 ACRES

SECTION 5

NE~~X~~ SW~~X~~ 20.6 ACRES
NW~~X~~ SW~~X~~ 10.0 ACRES
SE~~X~~ SW~~X~~ 37.0 ACRES
SW~~X~~ SE~~X~~ 20.0 ACRES

SECTION 6

NW~~X~~ NE~~X~~ 20.0 ACRES
SW~~X~~ NE~~X~~ 25.3 ACRES
SE~~X~~ NE~~X~~ 18.0 ACRES
NW~~X~~ NW~~X~~ 20.0 ACRES
SW~~X~~ NW~~X~~ 8.5 ACRES
SE~~X~~ NW~~X~~ 11.0 ACRES
SW~~X~~ SW~~X~~ 5.0 ACRES
SE~~X~~ SW~~X~~ 4.4 ACRES
NE~~X~~ SE~~X~~ 8.0 ACRES
NW~~X~~ SE~~X~~ 2.8 ACRES

SECTION 7

NE~~X~~ NW~~X~~ 20.0 ACRES
SW~~X~~ NW~~X~~ 22.8 ACRES
SE~~X~~ NW~~X~~ 7.6 ACRES
NE~~X~~ SW~~X~~ 5.0 ACRES

SECTION 8

NE~~X~~ SW~~X~~ 6.2 ACRES
SE~~X~~ SW~~X~~ 7.0 ACRES

SECTION 9

TOWNSHIP 4 SOUTH,
RANGE 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 JUN 04 1999, 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.

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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 04 1999.

151 Tom Paul (for)
Martha O. Pagel, Director

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WATER RESOURCES DEPT.
SALEM, OREGON

Recorded in State Record of Water Right Certificates numbered 76222.

T-8215.LHN

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

For T-9990: (Suppl. from Res. only)

$3.0 \text{ Ac} \times 3.0 \frac{\text{AF}}{\text{Ac}} = 9.0 \text{ AF}$

For T-10016: (Primary from direct flow)

$\frac{19.72 \text{ cfs}}{1488.5 \text{ Ac}} = 0.0132 \frac{\text{cfs}}{\text{Ac}}$

$2.7 \text{ Ac} \times 0.0132 \frac{\text{cfs}}{\text{Ac}} = 0.0356 \text{ cfs}$

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.

For T-10016: - 2.7 Ac

For T-9990: - 3.0 Ac

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 (T-10016)

The points of diversion are located as follows:

NE¼ SW¼, SECTION 29, T 3 S, R 11 E, WM; BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER, SECTION 29; and

SW¼ SW¼, 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 amount 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

NE¼ NE¼	2.60 ACRES
SW¼ NE¼	3.60 ACRES
SE¼ NE¼	19.10 ACRES
NE¼ NW¼	8.80 ACRES
SE¼ NW¼	0.20 ACRE
NE¼ SW¼	21.90 ACRES
NW¼ SW¼	8.00 ACRES
SW¼ SW¼	0.50 ACRE
SE¼ SW¼	5.20 ACRES
NE¼ SE¼	29.35 ACRES
NW¼ SE¼	12.80 ACRES
SW¼ SE¼	11.60 ACRES
SE¼ SE¼	8.80 ACRES

SECTION 1

NE¼ NW¼	2.00 ACRES
NW¼ NW¼	12.40 ACRES
SW¼ NW¼	1.60 ACRES
SE¼ NW¼	7.10 ACRES
NE¼ SW¼	23.70 ACRES
NW¼ SW¼	13.90 ACRES
NE¼ SE¼	8.80 ACRES
NW¼ SE¼	38.90 ACRES
SW¼ SE¼	12.20 ACRES
SE¼ SE¼	9.20 ACRES

SECTION 2

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SALEM, OREGON

NW¼ NE¼ 9.40 ACRES
 SW¼ NE¼ 8.30 ACRES
 SE¼ NE¼ 11.20 ACRES
 NE¼ NW¼ 5.10 ACRES
 NW¼ NW¼ 10.00 ACRES
 NE¼ SE¼ 12.60 ACRES
 NW¼ SE¼ 11.80 ACRES
 SW¼ SE¼ 2.90 ACRES
 SE¼ SE¼ 4.90 ACRES

SECTION 3

NE¼ NE¼ 9.00 ACRES
 NW¼ NE¼ 1.00 ACRES
 NE¼ NW¼ 8.30 ACRES
 SW¼ NW¼ 7.90 ACRES
 SE¼ NW¼ 5.20 ACRES
 SE¼ SW¼ 2.60 ACRES

SECTION 4

NW¼ NW¼ 9.85 ACRES
 SW¼ SE¼ 7.20 ACRES
 SE¼ SE¼ 9.80 ACRES

SECTION 7

NE¼ SW¼ 7.60 ACRES
 NW¼ SW¼ 6.80 ACRES
 SW¼ SW¼ 20.20 ACRES
 SE¼ SW¼ 13.00 ACRES
 NE¼ SE¼ 12.00 ACRES
 SW¼ SE¼ 10.70 ACRES
 SE¼ SE¼ 0.50 ACRES

SECTION 8

NE¼ SW¼ 39.10 ACRES
 NW¼ SW¼ 1.65 ACRES
 SW¼ SE¼ 26.80 ACRES
 SE¼ SE¼ 18.60 ACRES

SECTION 9

NE¼ NE¼ 11.60 ACRES
 SE¼ NE¼ 3.90 ACRES
 NE¼ SE¼ 28.70 ACRES
 NW¼ SE¼ 30.00 ACRES

SECTION 10

NW¼ NE¼ 10.00 ACRES
 SW¼ NE¼ 2.10 ACRES
 NW¼ NW¼ 1.10 ACRES
 SW¼ NW¼ 18.20 ACRES
 SE¼ NW¼ 15.90 ACRES
 NE¼ SW¼ 3.35 ACRES
 NW¼ SW¼ 7.00 ACRES
 SW¼ SW¼ 16.50 ACRES
 SE¼ SW¼ 12.20 ACRES
 SW¼ SE¼ 3.45 ACRES

SECTION 11

NE¼ NE¼ 18.50 ACRES
 NW¼ NE¼ 23.00 ACRES
 SE¼ NE¼ 7.50 ACRES
 NE¼ NW¼ 1.60 ACRES
 NW¼ NW¼ 20.70 ACRES
 SW¼ NW¼ 12.80 ACRES
 SE¼ NW¼ 16.20 ACRES
 SE¼ SW¼ 13.70 ACRES
 SW¼ SE¼ 6.90 ACRES
 SE¼ SE¼ 1.80 ACRES

SECTION 12

NE¼ NE¼ 26.20 ACRES
 NW¼ NE¼ 16.80 ACRES
 NE¼ NW¼ 13.60 ACRES
 NW¼ NW¼ 3.00 ACRES

SECTION 13

NE¼ NE¼ 12.40 ACRES

SECTION 14

NE¼ NW¼ 4.80 ACRES
 NW¼ NW¼ 14.30 ACRES

SECTION 15

NE¼ NE¼ 20.80 ACRES
 NW¼ NE¼ 4.70 ACRES
 NE¼ NW¼ 1.00 ACRES

SECTION 16

NW¼ NE¼ 1.40 ACRES
 NE¼ NW¼ 3.20 ACRES
 NW¼ NW¼ 5.00 ACRES

SECTION 17

NE¼ NE¼ 3.80 ACRES
 NW¼ NE¼ 2.05 ACRES

SECTION 18

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

NE¼ SW¼ 1.40 ACRES
 NW¼ SW¼ 12.80 ACRES
 SW¼ SW¼ 28.40 ACRES
 SE¼ SW¼ 24.70 ACRES
 NW¼ SE¼ 1.80 ACRES
 SW¼ SE¼ 3.80 ACRES

SECTION 5

SW¼ NW¼ 4.60 ACRES
 SE¼ NW¼ 1.70 ACRES
 NE¼ SW¼ 9.90 ACRES
 NW¼ SW¼ 23.30 ACRES
 SW¼ SW¼ 38.00 ACRES
 SE¼ SW¼ 0.60 ACRE
 NE¼ SE¼ 18.80 ACRES
 NW¼ SE¼ 28.90 ACRES
 SW¼ SE¼ 18.20 ACRES
 SE¼ SE¼ 14.90 ACRES

SECTION 6

NE¼ NE¼ 20.20 ACRES
 NW¼ NE¼ 9.70 ACRES
 SW¼ NE¼ 12.00 ACRES
 SE¼ NE¼ 4.30 ACRES
 NE¼ NW¼ 11.40 ACRES
 NW¼ NW¼ 17.30 ACRES
 SW¼ NW¼ 18.60 ACRES
 SE¼ NW¼ 13.30 ACRES

SECTION 7

SW¼ SW¼ 11.00 ACRES
 NE¼ SE¼ 6.00 ACRES
 NW¼ SE¼ 2.80 ACRES

SECTION 7

T-10016 RR
 2.70 3.30

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WATER RESOURCES DEPT.
 SALEM, OREGON

NEX NWX 17.70 ACRES
 NWX NWX 5.50 ACRES
 SWX NWX 10.80 ACRES
 SEX NWX 3.60 ACRES
 NEX SWX 7.60 ACRES
 SEX SWX 0.30 ACRE
 NEX SEX 34.00 ACRES
 NWX SEX 20.00 ACRES
 SWX SEX 9.20 ACRES

SECTION 8

NEX SWX 7.00 ACRES
 NWX SWX 9.80 ACRES
 SWX SWX 1.90 ACRES
 SEX SWX 1.70 ACRES
 NEX SEX 4.80 ACRES
 NWX SEX 16.40 ACRES

SECTION 9
TOWNSHIP 4 SOUTH,
RANGE 13 EAST, W.M.

SWX SWX 3.60 ACRES
 SEX SWX 0.20 ACRE

SECTION 34
TOWNSHIP 3 SOUTH,
RANGE 12 EAST, W.M.

SUPPLEMENTAL - RESERVOIR

SEX NEX 11.90 ACRES
 SWX NWX 10.58 ACRES
 NEX SWX 0.90 ACRE
 NEX SEX 0.05 ACRE
 NWX SEX 0.45 ACRE
 SWX SEX 0.30 ACRE
 SEX SEX 0.20 ACRE

T-9990 RR
3.0 7.58

NWX NEX 12.30 ACRES
 SEX NEX 1.00 ACRE
 NEX NWX 6.00 ACRES
 NWX NWX 3.24 ACRES
 SWX NWX 1.30 ACRES
 SEX NWX 2.80 ACRES

SECTION 1

SWX NWX 8.20 ACRES
 SEX NWX 27.30 ACRES
 NEX SWX 8.40 ACRES
 SWX SWX 3.60 ACRES
 NEX SEX 9.24 ACRES

SECTION 2

SWX NEX 2.90 ACRES
 SEX NEX 8.00 ACRES
 NEX NWX 0.70 ACRE
 NEX SEX 5.86 ACRES

SECTION 3

SWX NWX 2.50 ACRES
 SEX NWX 8.28 ACRES

SECTION 4

SEX NWX 4.62 ACRES

SECTION 5

NWX NWX 3.50 ACRES
 SEX SEX 3.78 ACRES

SECTION 7

SEX SWX 2.80 ACRES

SECTION 8

NEX SEX 0.30 ACRE
 NWX SEX 0.60 ACRE

SECTION 10

NWX NEX 1.60 ACRES
 NEX NWX 0.90 ACRE
 NWX NWX 4.20 ACRES
 NWX SWX 0.10 ACRE
 SWX SWX 4.50 ACRES
 SEX SWX 6.00 ACRES

SECTION 11

SECTION 12

NWX NEX 4.00 ACRES
 NWX NWX 14.00 ACRES

SECTION 13

NEX NWX 4.00 ACRES
 NWX NWX 5.24 ACRES

SECTION 15

NEX NWX 4.20 ACRES

SECTION 17

NEX NEX 0.80 ACRE

SECTION 18

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

SWX SWX 0.20 ACRE

SECTION 5

SWX NWX 4.60 ACRES
 NEX SWX 4.00 ACRES
 NWX SWX 4.60 ACRES
 SWX SEX 1.80 ACRES
 SEX SEX 4.30 ACRES

SECTION 6

NEX NEX 9.80 ACRES
 NWX NEX 10.00 ACRES
 SWX NWX 1.00 ACRES

SECTION 7

SWX NEX 23.00 ACRES
 SEX NEX 26.60 ACRES
 NWX NWX 10.50 ACRES

SECTION 8

NWX SWX 3.50 ACRES
 SWX SWX 1.10 ACRES

SECTION 9

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

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WATER RESOURCES DEPT.
SALEM, OREGON

SUPPLEMENTAL - STREAM AND RESERVOIR

SWX SEW 1.00 ACRE
SECTION 9

SEW SWX 21.40 ACRES
SECTION 12

SWX NEW 6.00 ACRES
SEW NEW 4.60 ACRES
NEW SEW 4.60 ACRES
SECTION 10

NEW NWX 20.00 ACRES
SECTION 13
TOWNSHIP 4 SOUTH,
RANGE 12 EAST, W.M.

NWX NEW 5.00 ACRES
NEW NWX 10.00 ACRES
NWX NWX 6.20 ACRES
SWX NWX 3.00 ACRES
NWX SWX 13.50 ACRES
SEW 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 JUN 04 1999, 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.

151 Tom Paul (for)
Martha O. Pagel, Director

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WATER RESOURCES DEPT.
SALEM, OREGON

Recorded in State Record of Water Right Certificates numbered 76223.

T-8215.LHN

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

- 11.89 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 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*

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

T-9990:
Suppl. from
Res. only

12-20-00

3,550.0 AF
3,434.9 AC =
1,034 AF/AC

0.6 +
AC
primary

11.5 AC
x 1.034 AF/A
= 11.891 AF

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WATER RESOURCES DEPT.
SALEM, OREGON

T-9990

T-8080

Per S-33228

Acres of land to receive benefit by a water exchange

0.8 acre NE 1/4 NE 1/4
6.0 acres NW 1/4 NE 1/4
Section 12
Township 4 South, Range 11 East, WM

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
Section 3

14.4 acres NE 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
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

17.2 acres NE 1/4 NW 1/4
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
Section 16

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

14.8 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

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 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
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 NW 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

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
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
38.9 acres NW 1/4 SE 1/4
13.7 acres SW 1/4 SE 1/4
38.6 acres SE 1/4 SE 1/4
Section 2

36.2 acres SE 1/4 NE 1/4
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

T-9990
R/R
3.6 11.1
7.9 27.3

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SALEM, OREGON

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
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

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SALEM, OREGON

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	Direct from Reservoir
0.9 acre NE 1/4 NW 1/4	21.1 acres SE 1/4 NE 1/4
0.1 acre NW 1/4 NW 1/4	2.5 acres NE 1/4 SE 1/4
Section 4	Section 12
Township 4 South, Range 12 East, WM	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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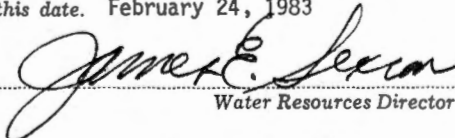
AUG 16 2006

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

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 - 11.5 Ac for the purpose of supplemental irrigation of 3,435.5 acres

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

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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. Water from the reservoir is to provide a supplemental supply for lands being benefitted 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 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:

SEE NEXT PAGE

T-9990:
Suppl. from
Res. only

3550.0 AF
3435.5 AC =
1.033 AF/AC
1.033 AF/AC
x 11.5 AC
= 11.880 AF

Location
of Res.
not given

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AUG 16 2006

WATER RESOURCES DEPT.
SALEM, OREGON

T-9990

T-8080

Per 5-39616

Acres of land to receive benefit by a water exchange

0.8 acre NE 1/4 NE 1/4
6.0 acres NW 1/4 NE 1/4
Section 12
Township 4 South, Range 11 East, WM

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
Section 3

14.4 acres NE 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
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

17.2 acres NE 1/4 NW 1/4
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
Section 16

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

14.8 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

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 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
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 NW 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

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
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
38.9 acres NW 1/4 SE 1/4
13.7 acres SW 1/4 SE 1/4
38.6 acres SE 1/4 SE 1/4
Section 2

36.2 acres SE 1/4 NE 1/4
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

T-9990 RR
3.6 11.1
7.9 29.3

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AUG 16 2006

WATER RESOURCES DEPT.
SALEM, OREGON

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
 14.1 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

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

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

James E. Secor
 Water Resources Director

RECEIVED

AUG 16 2006

WATER RESOURCES DEPT.
 SALEM, OREGON

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

9649A

Dorothy Pedersen

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrд.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.

Thank you,
Dorothy

✓OK-rcvd
11-9-06

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrд.state.or.us
503-986-0890



Oregon

Theodore R. Kulongoski, Governor

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@wrld.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Larry Toll, applicant's agent
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)
)
)
)
)

D R A F T
**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	Q-Q	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 1st 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	Acres
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	Acres
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	Mer	Sec	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	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

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

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

D R A F T

Phillip C. Ward, Director

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@wrdd.state.or.us.

Contractor's Draft

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)
 T-9990, Wasco County)
)

D R A F T

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

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.

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 ^{of one} cfs per acre

Source: BADGER CREEK, tributary to WHITE RIVER

POT Not Specified in Cert 7221

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 S	11 E	WM	32	SW NE			NOT SPECIFIED

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SW NW			3.00

DRAFT

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	X	1.2
4S	12E	WM	1	SE SW	X	X	1.8

4. The portion of the second right to be transferred is as follows:

Certificate: 46532 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

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 cfs per acre up to July 1 of each year and thereafter not to exceed ONE-EIGHTIETH cfs per acre, not to exceed 1.0 acre-foot 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

Source: BADGER CREEK AND BADGER LAKE RESERVOIR, tributary to WHITE RIVER

(constructed under permit R-773)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 S	10 E	WM	16	SW SW	X	X	NONE SPECIFIED
3 S	11 E	WM	32	SW NE	X	X	NONE SPECIFIED

Not on cert 46532 - only shows SWNE, S. 32, T. 3S, R. 11E

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SW NW	X	X	2.3
4 S	12 E	WM	1	SE NW	X	X	3.0

STOCK? (See Appl form)

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SE NW	X	X	3.0

5. 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	NE SW	X	X	2.3
4S	12E	WM	1	NW SW	X	X	1.1
4S	12E	WM	1	SW SW	X	X	1.0
4S	12E	WM	1	SE SW	X	X	0.9

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	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

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 ^{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	GLot	DLC	Survey Coordinates
3 S	11 E	WM	32	SW NE			NORTH 65 DEGREES 21 MINUTES WEST, 1938.2 FEET FROM E 1/4 CORNER OF SECTION 32

Highland Ditch

Authorized Place of Use:

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

7. 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	MW 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: 0.138 CUBIC FEET PER SECOND, being cfs @ 4/12/41 + cfs @ 3/20/51 priority

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

Do you figure the Q is divided by priority rate - a portion from each?

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 S	10 E	WM	16	SW SW	X	X	NONE SPECIFIED

add →

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	12 E	WM	1	SW NW			0.6
4 S	12 E	WM	1	SE NW			4.9

3S 11E 29 NESW none specified

9. 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	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: 0.031 CUBIC FEET PER SECOND

Limit/Duty: ONE-FORTIETH cfs 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)

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
3 S	10 E	WM	16	SW SW			BADGER LAKE - 400 FEET NORTH & 800 FEET EAST FROM SW CORNER SECTION 16
3 S	11 E	WM	29	NE SW			BADGER CREEK - 1290 FEET SOUTH & 550 FEET WEST FROM 1/4 CORNER SECTION 29

Check on whether direct flow or storage or only from storage

the center

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	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:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	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 COOP^{ERATIVE} INC. and DEPT OF FISH & WILDLIFE (perfected under Permit S-33228)

Use: SUPPLEMENTAL IRRIGATION of 11.5 ACRES

Priority Date: JULY 23, 1968

Rate: 11.891 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 permit R-5250)

Authorized Point of Diversion:

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
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: 11.845 ACRE FEET

Limit/Duty: Rate limit for supplemental irrigation not specified. Duty not to exceed 3.0 acre-feet per acre per year.

Pin Pine Hollow Reservoir Constr. under Permit R-6368

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

Threemile Creek

Cent lands say Pine Hollow Res.

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.

5. 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 _____ 2006.

D R A F T

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@wrdd.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, ~~46532~~⁸²⁰⁸⁶, 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**

Dorothy
Please See
Pg. 2
Lisa

In the Matter of Transfer Application
T-9990, Wasco County

) **D R A F T**
)
) **PRELIMINARY DETERMINATION**

ORS 540.505 to 540.580 establishes the procedure for a request to transfer the point of diversion, place of use, or existing water right. OAR Chapter 690, Division 01, Department's procedures and criteria for

Saved as:

9990-dpd - with peer
revisions - 6-29-06.doc.

Applicant

MCALLISTER RANCHES
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. 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**

Dorothy
Please See
Pg. 2
Lisa

In the Matter of Transfer Application)
T-9990, Wasco County)
)
)
)
)

D R A F T

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

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

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 "Q" — It looks like appl also indicate STOCK
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 1st 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:

IRRIGATION					
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					
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

See Appl.; it breaks out as follows:
 2.0 + 0.3
 0.3 + 0.8
 — part IR & part livestock?
 — which is which?

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 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 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	SW NW	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 year
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:

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 _____, 2006.

D R A F T

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@wrд.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

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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,

9/22/2006

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: Salem Transfer Section DATE: 8-15-05
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: ✓ WATERMASTER, DISTRICT # 3
GROUNDWATER SECTION

(SIGNATURE) Robert Z Wood Jr date signed 10-11-2005
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 9990

A change in: POU POD POA USE of water.

In the name(s) of 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 right.

*The approval of this transfer application would result in injury to other water rights because _____

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.
** Badger Improvement District has a headgate & 4' parshall flume at the POD.*

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) N/A

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:

- X (1) PRIOR to the diverting of water at the new point of diversion . . . ** already installed*
- _____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . . OCT 24 2005

RECEIVED
WATER RESOURCES DEPT
SALEM, OREGON
wmtrans.frm

The enclosed copy of the transfer application and map(s) is for your records.

Oregon Department of Fish and Wildlife
Transfer Comment Form

Reference: Transfer # 9990

We have reviewed the application for transfer and provide the following comments:

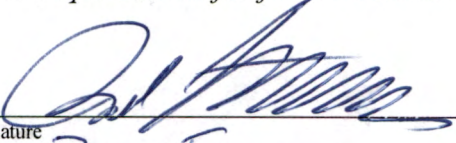
Please check one of the boxes related to potential injury to water rights.

There does not appear to be a potential for injury to instream or other water rights as a result of the transfer.

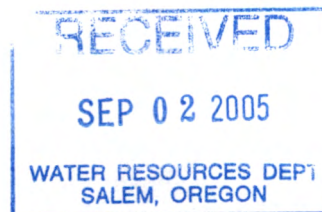
We believe that the transfer would injure the instream or other water right(s) on _____, tributary to _____. The nature of the injury is as follows: _____

(Please attach any available supporting information.)

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.

Signature 
Printed Name ROD FRENCH
Title MID-COLUMBIA DISTRICT FISH BIOLOGIST

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

COUNTY: WASCO
TRANSFER: 9990
CERTIFICATE: 7221,46532,80637,76222,76223,51486,51487
PRIORITY DATE: 1925,1929,1914,1941,1961,1968,1975,1951
NAME: MCALLISTER RANCHES
ADDRESS: 80455 WAMIC MARKET RD; TYGH VALLEY OR 97063
CHANGE: POU
SOURCE: BADGER CR/THREEMILE CR/ BADGER LK RES/HIGHLAND
DITCH/PINE HOLLOW RES
AUTHORIZED POU: T4S R12E 1
PROPOSED POU: T4S R12E 1



Oregon

Theodore R. Kulongoski, Governor

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 for 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 http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml 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





Oregon

Theodore R. Kulongoski, Governor

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 13th 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



11-8-05

Proof Needed

on

T-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)*

&

Other Supporting Documentation



LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-2430

Date: 11/7/2006	Work Order # 11572
Attention Dorothy Pedersen	
RE:	
Transfer 9990	

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	(1 pg) Affidavit of Consent from FDD Ranches, LLC

THESE ARE TRANSMITTED (as checked below)

- | | | |
|---------------------------------------|--|---|
| <input type="checkbox"/> For testing | <input checked="" type="checkbox"/> As requested | <input checked="" type="checkbox"/> Filing/Recording |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input checked="" type="checkbox"/> For your review & comment |

Remarks: <p style="text-align: center;">I believe this is the last of the documents you requested.</p>	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

PICKED UP BY:
 DELIVERED BY:
 COPY TO:

BY: Larry Toll

If enclosures are not as noted, please notify us at once.

RECEIVED
 NOV 09 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.

[Handwritten Signature]
Signature for FDD Ranches, LLC

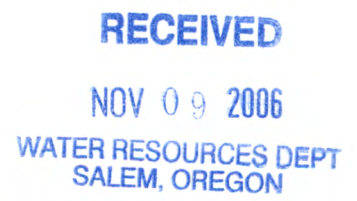
10-12-06
Date

Member
Title

Subscribed and Sworn to Before Me this 12th day of October, 2006

[Handwritten Signature]
Notary Public for Oregon

My Commission Expires: March 5, 2010





LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266

Date	10/04/06	Work Order #	11572
Attention	Dorothy Peterson		
RE:			

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	Affidavit of Consent Form

THESE ARE TRANSMITTED (as checked below)

- For approval
- For your use
- As requested
- Approved as noted
- Filing/Recording
- For your review & comment

Remarks: Enclosed is and affidavit of Consent Form for Durmac Ranches, Inc. for Transfer 9990. Hopefully I will be sending the one for FDD Ranches in the near future.	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

PICKED UP BY:
 DELIVERED BY:
 COPY TO:

BY:

RECEIVED

OCT 05 2006

If enclosures are not as noted, please notify us at once.

**WATER RESOURCES DEPT
 SALEM, OREGON**

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.

Durmac Ranches Inc. William P. Callahan
Signature for Durmac Ranches, Inc

9/29/06
Date

Per

Title

Subscribed and Sworn to Before Me this 29th day of September, 2006.



Kristil Bish
Notary Public for Oregon

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.

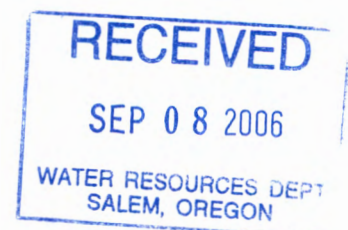
Also I have enclosed an ownership and lien report for Transfer 9990. An additional owner (FDD Ranches) and lien holder (Glen Wentz) are identified. I have enclosed copies of the notifications sent to these parties.

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>



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:

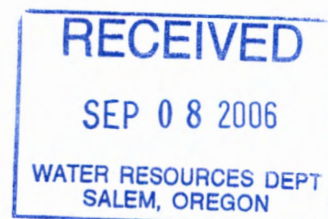
Dated	:April 17, 2006
Recorded	:April 17, 2006
Microfilm No.	:2006-002219 (Records of Wasco County, Oregon)
Amount	:\$110,000.00
Grantor	:Durmac Ranches, Inc.
Trustee	:Robert A. Smejkal, Attorney at Law
Beneficiary	:Glenn Wentz, Trustee of the Glenn Wentz Appraisals Profit Sharing Plan
Affects	:Parcel 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



NOTE: Taxes for fiscal year 2005-06 are paid in full as follows:

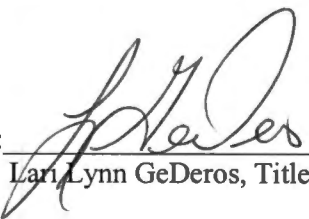
Code No.	:13
Map No.	:4S12E1
Tax Lot	:301
Reference No.	:17118
Amount	:\$exempt

Taxes for fiscal year 2005-06 are paid in full as follows:

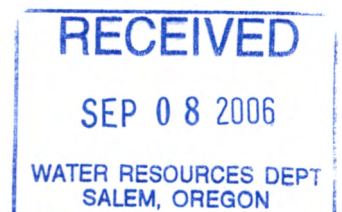
Code No.	:13
Map No.	:4S12E1
Tax Lot	:300
Reference No.	:16152
Amount	:\$1,433.51

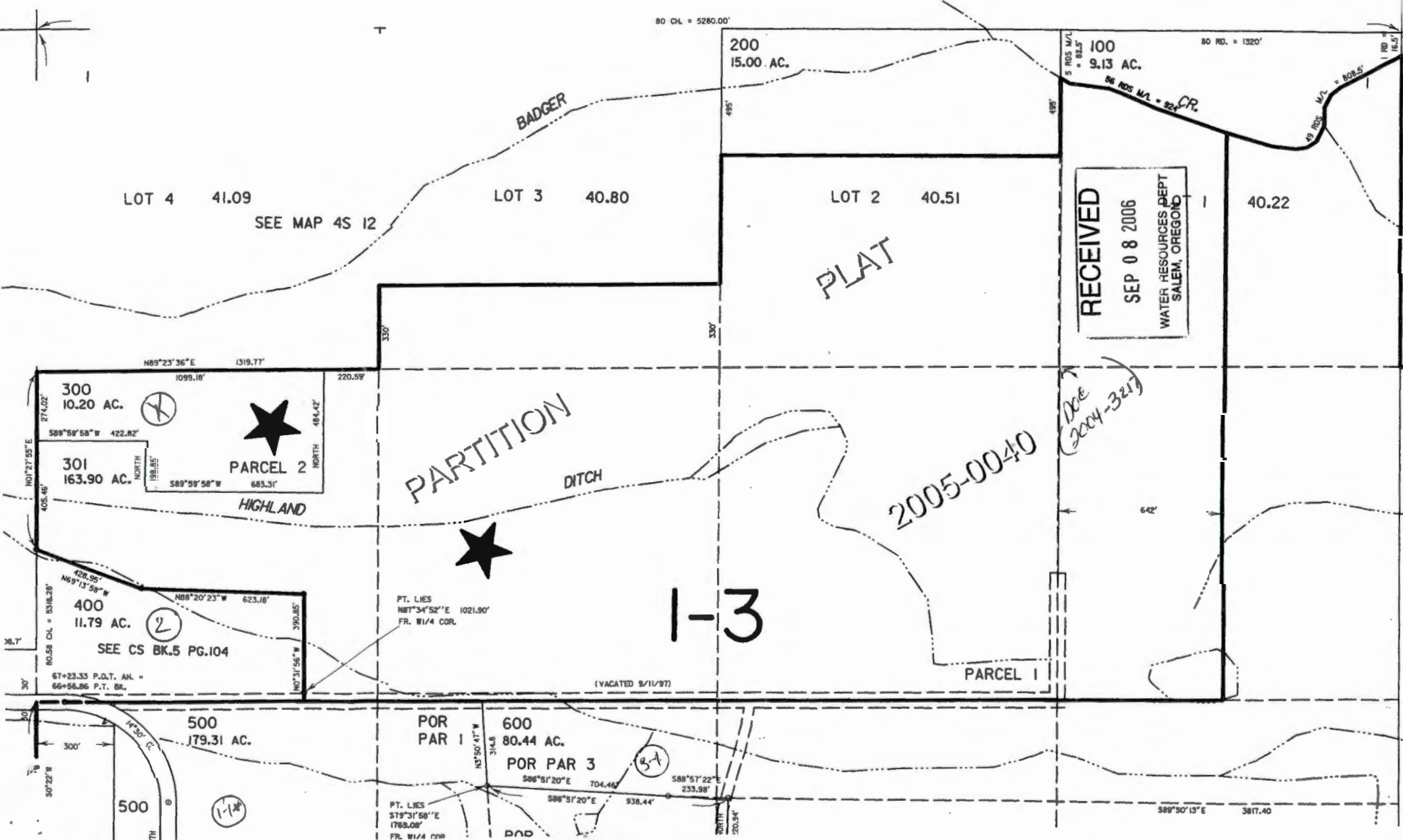
NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of 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

By: 
Lari Lynn GeDeros, Title Examiner

"Superior Service with Commitment and Respect for Customers and Employees"





80 CH. = 5280.00'

80 RD. = 1320'

LOT 4 41.09

SEE MAP 4S 12

LOT 3 40.80

LOT 2 40.51

40.22

200
15.00 AC.

100
9.13 AC.

RECEIVED
SEP 08 2006
WATER RESOURCES DEPT
SALEM, OREGON

PLAT

PARTITION

2005-0040

DOE
(2004-321)

1-3

PARCEL 1

PARCEL 2

300
10.20 AC.

301
163.90 AC.

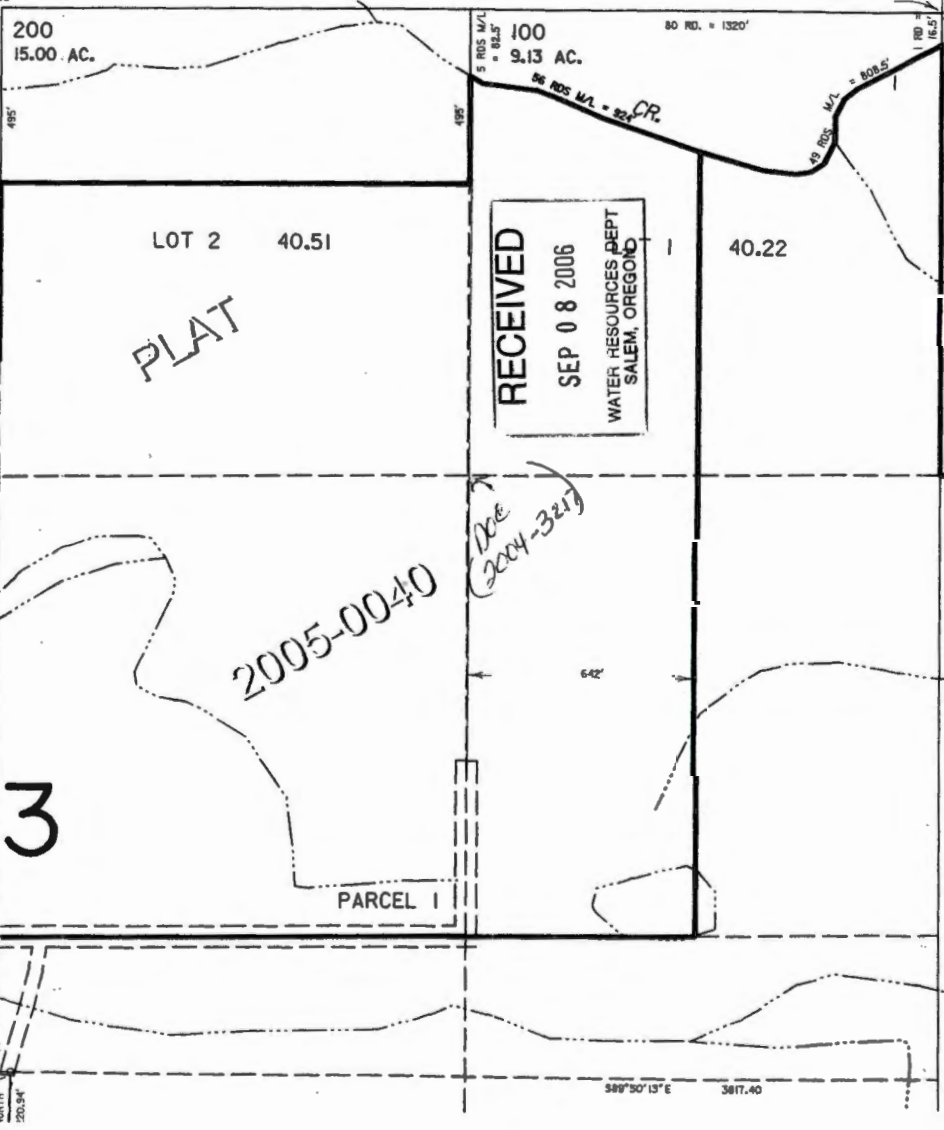
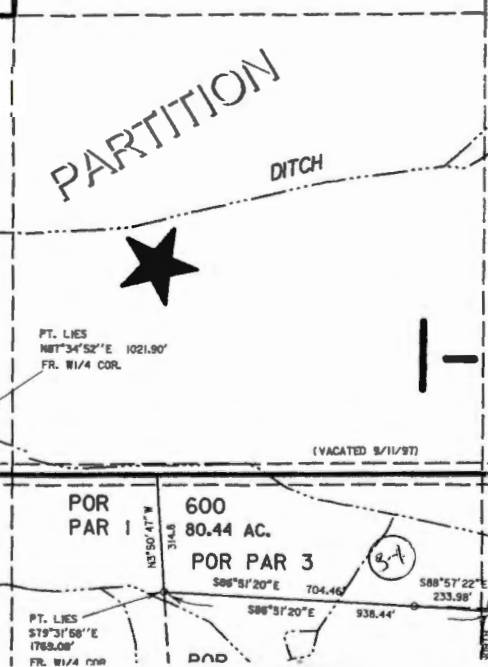
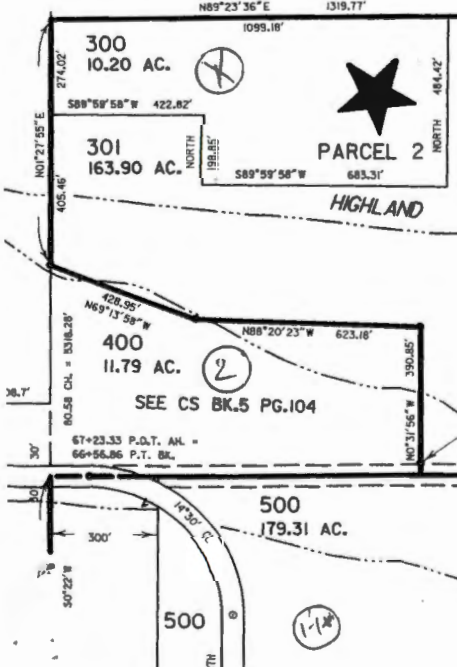
400
11.79 AC.

SEE CS BK.5 PG.104

500
179.31 AC.

POR
PAR 1

600
80.44 AC.
POR
PAR 3



80 CH. = 5280.00'

80 RD. = 1320'

200
15.00 AC.

100
9.13 AC.

LOT 4 41.09

LOT 3 40.80

LOT 2 40.51

40.22

SEE MAP 4S 12

RECEIVED
SEP 08 2006
WATER RESOURCES DEPT
SALEM, OREGON

PLAT

PARTITION
DITCH

2005-0040

Doc
(2004-321)

1-3

PT. LIES
N87°34'52"E 1021.90'
FR. W1/4 COR.

(VACATED 9/11/97)

PARCEL 1

300
10.20 AC.

PARCEL 2

301
163.90 AC.

400
11.79 AC.

SEE CS BK.5 PG.104

500
179.31 AC.

POR
PAR 1

600
80.44 AC.

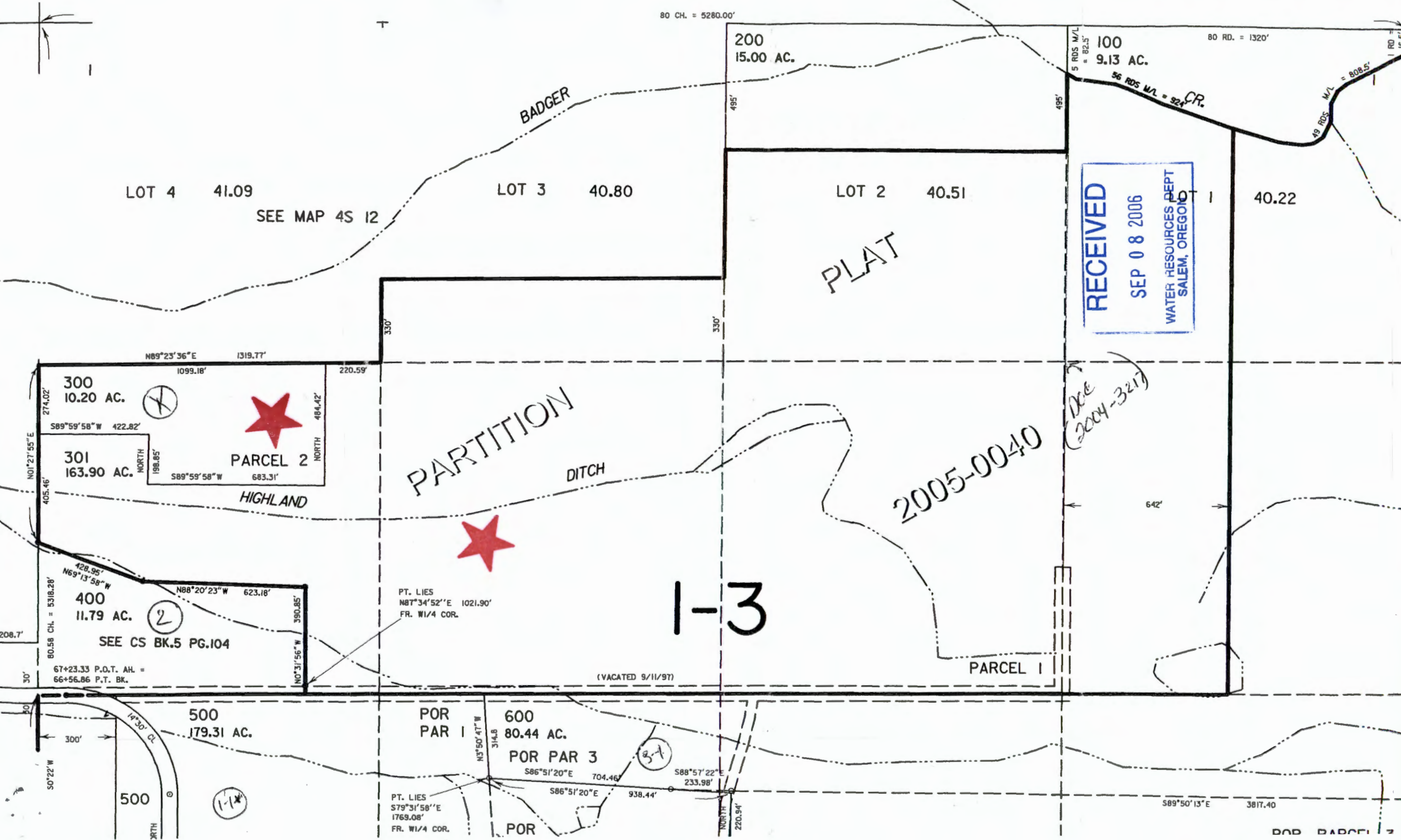
POR PAR 3

PT. LIES
S79°31'58"E
1769.08'
FR. W1/4 COR.

POR

S89°50'13"E 3817.40

DOB PARCEL 3





TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

409 LINCOLN STREET
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

September 6, 2006

FDD Ranches, LLC
P.O. Box 97
Clackamas, Oregon 97015

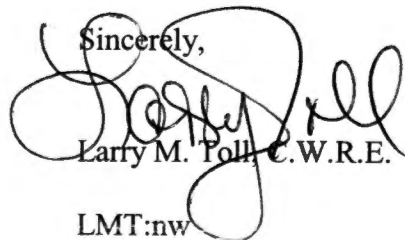
Reference: Water Right Transfer (T-9990) for William McAllister
(Durmac Ranches, Inc.)

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,



Larry M. Toll, C.W.R.E.

LMT:nw
<wo#11572>





TENNESON
ENGINEERING CORPORATION
CONSULTING ENGINEERS • SURVEYORS • PLANNERS

409 LINCOLN STREET
THE DALLES, OR 97058

PHONE (541) 296-9177
FAX (541) 296-6657

September 6, 2006

Glenn Wentz, Trustee
Glenn Wentz Appraisals Profit Sharing Plan
P.O. Box 1742
Roseburg, Oregon 97470

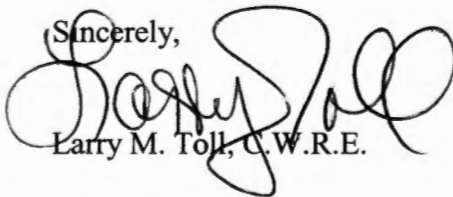
Reference: Water Right Transfer (T-9990) for William McAllister

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.

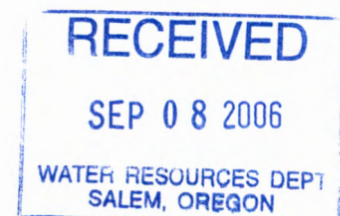
Sincerely,



Larry M. Toll, C.W.R.E.

LMT:nw
<wo#11572>

cc: Advanced Investment Corporation





LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-2430

Date 8/4/2005	Work Order # 11572
Attention	
RE:	
McAllister Ranches	

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)

THESE ARE TRANSMITTED (as checked below)

- For approval
 As requested
 Filing/Recording
 For your use
 Approved as noted
 For your review & comment

Remarks: <p style="font-size: 2em; color: blue;">T-9990</p>	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

RECEIVED
 AUG 05 2005
 WATER RESOURCES DEPT
 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**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **76416**

INVOICE # _____

RECEIVED FROM: M. Allister Ranches
BY: Inc.

APPLICATION	
PERMIT	
TRANSFER	T9990

CASH: CHECK:# 2120 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 350.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>350.00</u>		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$ _____	0220	\$ _____
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____
0210 MONITORING WELLS \$ _____ CARD # _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **76416**

DATED: 8/5/05 BY: J. Albin



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.

APPLICATION FOR:

Please check one		
<input checked="" type="checkbox"/> Water Right Transfer	<input type="checkbox"/> Temporary Transfer (number of years _____)	<input type="checkbox"/> Drought Transfer
<input type="checkbox"/> Historic Change in POD	<input type="checkbox"/> Permit Amendment	<input type="checkbox"/> Point of Diversion Change Due to Government Action
<input type="checkbox"/> To Instream Use		
<input type="checkbox"/> Other Transfer		

1. APPLICANT INFORMATION

Name: McAllister Ranches
First Last

Address: 80455 Wamic Market Road

Tygh Valley OR 97063
City State Zip

Phone: (503) 784-0836 (cell)

*Fax: (541) 544-2970 *E-Mail address: _____
Home Work Other

**Optional information*

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: Tenneson Engineering Corporation / Larry Toll
First Last

Address: 409 Lincoln Street

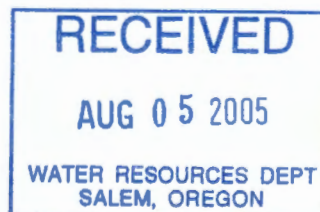
The Dalles OR 97058
City State Zip

Phone: (541) 296-9177

*Fax: (541) 296-6657 *E-Mail address: ltoll@tennesoneng.com
Home Work Other

**Optional information*

T. 9990



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)
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> 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.) <input type="checkbox"/> Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) <input type="checkbox"/> 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.)	<input checked="" type="checkbox"/> 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.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<p style="text-align: center;">Proposed new use:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete Supplemental Form B) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: Change 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.)

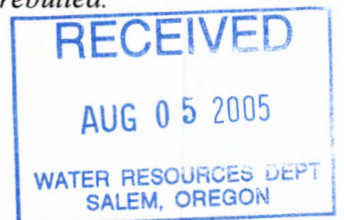
The Badger Ditch delivers water to a number of users. The Badger Ditch diverts up to 50 cfs from Badger Creek and distributes the water. Individual users flood and sprinkle irrigate.

System capacity: 50 cubic 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



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	¼ ¼ 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:

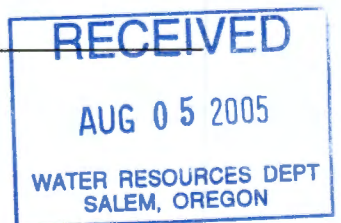
Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/SW	--	1.2
						SE/SW	--	1.8

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: _____

T. 9990

Transfer Application/5 A



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	¼ ¼ 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:

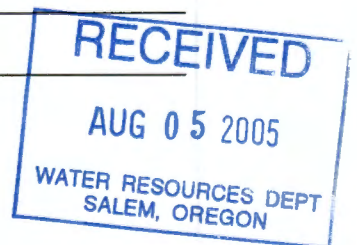
Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1			Primary
						NE/SW	--	2.0 + 0.3
						NW/SW	--	0.3 + 0.8
						SW/SW	--	1.0
						SE/SW	--	0.9
								Supplemental
						NE/SW	--	0.3
						NW/SW	--	0.8
						SW/SW	--	1.0
						SE/SW	--	0.9

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: _____

T.9990

Transfer Application/5 B



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):

<input checked="" type="checkbox"/> Certificated Right	76222 <small>Certificate Number</small>	22633 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Un-certificated Right	<small>Name of Decree</small>	<small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	<small>Permit Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	<small>Previous Transfer Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Permit for which an Amendment is Requested	<small>Permit Number</small>	<small>Completion Date of Permit</small>

Name on Permit, Certificate, or Decree: Badger Improvement District

County: Wasco Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: April 12, 1941 and March 20, 1951

Source(s) of Water Listed on Right: Badger Creek and Badger Lake Reservoir

Tributary to: Tygh Creek

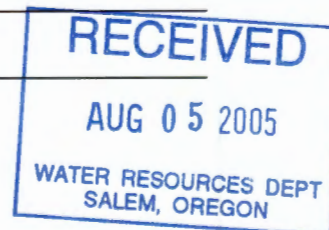
Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: _____

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? Permits 33228 and 39616
Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: All land under this water right have both priority dates. It takes both to make full rate of water on each acre.

T-9990

Transfer Application/3



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:

Township		Range		Mer	Sec	¼ ¼ 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:

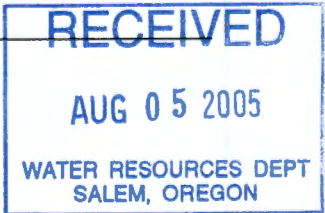
Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/SW	--	1.5
						SE/SW	--	4.0

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: _____

T-9990

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):

<input checked="" type="checkbox"/> Certificated Right	76223 <small>Certificate Number</small>	27390 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Un-certificated Right	<small>Name of Decree</small>	<small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	<small>Permit Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	<small>Previous Transfer Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Permit for which an Amendment is Requested	<small>Permit Number</small>	<small>Completion Date of Permit</small>

Name on Permit, Certificate, or Decree: Badger Improvement District

County: Wasco Authorized Use(s): Irrigation & Supplemental Irrigation

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: _____

Source(s) of Water Listed on Right: Badger Lake Reservoir

Tributary to: Tygh Creek

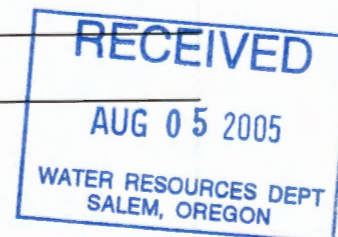
Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: Badger Creek

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? Permits 6734, 33228, and 39616
Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: No primary irrigation under this right.

T.9990

Transfer Application/3 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	¼ ¼ 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:

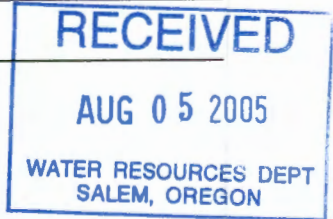
Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/SW	--	1.2
						SE/SW	--	1.8

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: From Badger Lake Reservoir for Supplemental Irrigation.

5-9990

Transfer Application/5 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 33228

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

Township		Range		Mer	Sec	¼ ¼ 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:

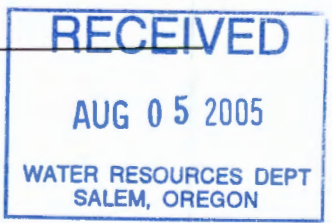
Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	NE/SW	--	0.3
						NW/SW	--	0.8
						SW/SW	--	3.7
						SE/SW	--	6.7

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: _____

T-9990

Transfer Application/5 *F*



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	¼ ¼ 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.

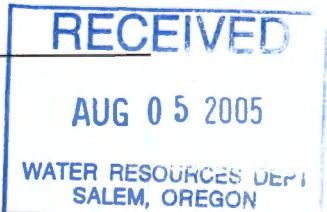
Location of Proposed Place of Use:

Township		Range		Mer	Sec	¼ ¼ 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: _____

T.9990



8. ATTACHMENTS

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

<p>Form A – Evidence of Use Affidavits</p> <p><input type="checkbox"/> 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.</p> <p>Form B – Instream Water Right Transfer</p> <p><input type="checkbox"/> Required for instream transfers only.</p> <p>Map</p> <p><input checked="" type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>Evidence of Lien Holder Notification</p> <p><input type="checkbox"/> 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.</p> <p>Recorded Deed</p> <p><input type="checkbox"/> Required for temporary transfers only.</p>	<p>Land Use Information Form:</p> <p><input type="checkbox"/> Enclosed</p> <p><input checked="" type="checkbox"/> Not Required if all of the following are met:</p> <ol style="list-style-type: none"> ❶ In EFU zone or irrigation district, ❷ Change in place of use only, ❸ No structural changes needed, including diversion works, delivery facilities, other structures, and ❹ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> The application is for a surface water transfer and water well reports are not required.</p> <p>Fees:</p> <p><input type="checkbox"/> Amount enclosed: \$ _____ See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p>
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9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

- (1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and
- (2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

I (we) affirm that the information contained in this application is true and accurate.

<i>William R McAuster</i>	name (print)	8/1/05
applicant signature		date
	name (print)	date
applicant signature		date

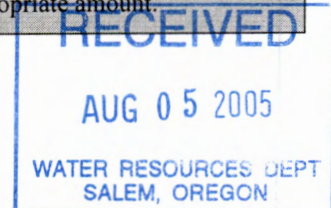
Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

FEE
\$350⁰⁰

T.9990

Transfer Application/7

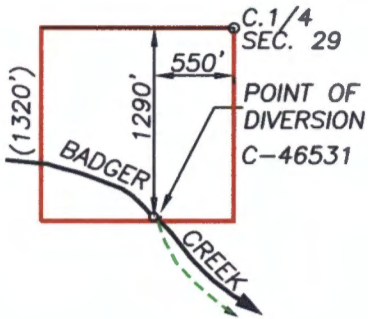


Name	USE	Source	Trib	PR Date	APP	Per	cert	com
F. A. Morrow	IR	Badger creek	Tygh Creek	4-27-1925	S-10137	S-6734	7221	NC
Badger Improvement District	DO IR LV IS	Threemile CR Badger Lake RES	White River Badger Creek	10-21-1929	⊖	S-15165	46532	CN
"	IR	Highland Ditch	Badger Creek	8-8-1914	⊖	S-2163	80637	NC
"	IR	Badger Creek RES	White River Badger Creek	4-12-1941 3-20-1951	⊖	S-22633	76222	NC
"	IC	Badger Creek RES	White River Tygh Creek	3-22-1961	⊖	S-27390	76223	NC
Pine Hollow Coop. Dept Fish & Wild.	IR RC	Badger Creek Pine Hollow RES	Tygh Creek Pine Hollow	7-23-1968	S-45212	S-33228	51486	NC
Pine Hollow Coop.	IS	Threemile CR Pine Hollow RES	White River Pine Hollow	5-1-1975	S-53066	S-39616	51487	NC

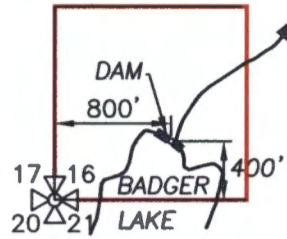
WASCO COUNTY, OREGON



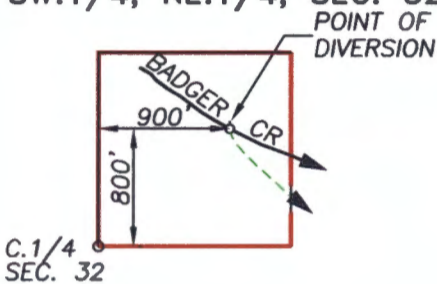
BADGER CREEK
TWP. 3 S., RANGE 11 E. W.M.
NE.1/4, SW.1/4, SEC. 29



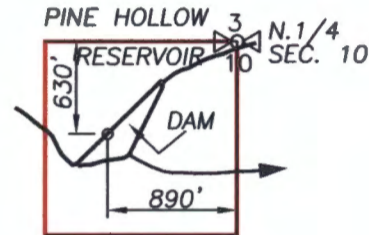
BADGER LAKE RESERVOIR
TWP. 3 S., RANGE 10 E.
SW.1/4, SW.1/4, SEC.



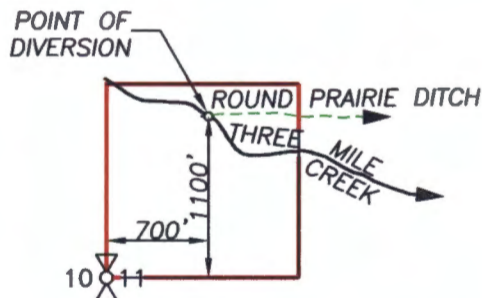
BADGER CREEK
(SOUTH FORK BADGER CREEK)
TWP. 3 S., RANGE 11 E. W.M.
SW.1/4, NE.1/4, SEC. 32



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



T-9990

WATER RIGHT POINT OF DIVERSIONS

SCALE: 1" = 1320'

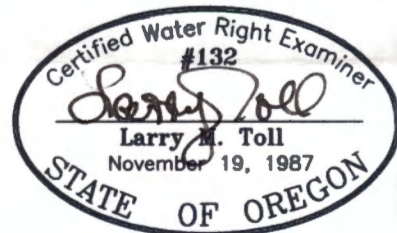
RECEIVED
AUG 05 2005
WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION No. T-9990

PERMIT No. _____

IN THE NAME OF:
McALLISTER RANCH

DATE: JULY 7, 2005



EXPIRES: 06/30/06

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



NOTE:

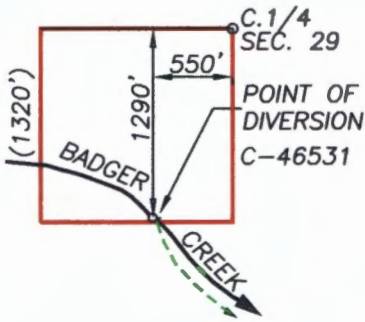
"THIS MAP IS NOT INTENDED TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

W.O. #11572wr2

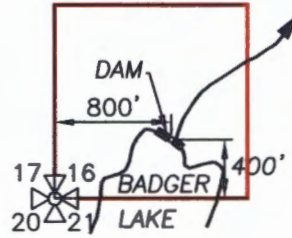
WASCO COUNTY, OREGON



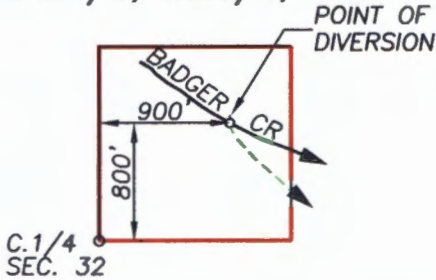
BADGER CREEK
TWP. 3 S., RANGE 11 E. W.M.
NE.1/4, SW.1/4, SEC. 29



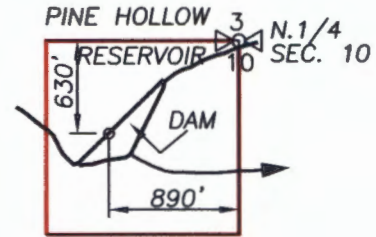
BADGER LAKE RESERVOIR
TWP. 3 S., RANGE 10 E. W.M.
SW.1/4, SW.1/4, SEC. 16



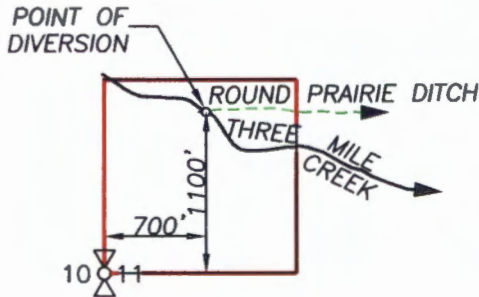
BADGER CREEK
(SOUTH FORK BADGER CREEK)
TWP. 3 S., RANGE 11 E. W.M.
SW.1/4, NE.1/4, SEC. 32



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



T-9990

WATER RIGHT POINT OF DIVERSIONS

SCALE: 1" = 1320'

RECEIVED
AUG 05 2005
WATER RESOURCES DEPT
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.
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

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

State of Oregon)
) ss
 County of Wasco)

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:

1. I attest that:

- 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
- 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.

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:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
4	S	12	E	W	1	SW/NW	--	6.3
						SW/NW	--	7.9

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(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.

T-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.

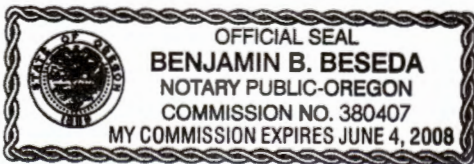
5. The water delivery system used to apply water as authorized by the right is described below:
The water is delivered to the ranch by the Badger Ditch system. Water is delivered by gravity to a pond. The water is then pumped from the pond and used to sprinkle irrigate about 135 acres in this portion 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),
 - 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 that assessment is current and no back assessment is outstanding

William Rm Cauley
Signature of Affiant

8/1/05
Date

Signed and sworn to (or affirmed) before me this 1st day of August, 2005.



[Signature]
Notary Public for Oregon

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

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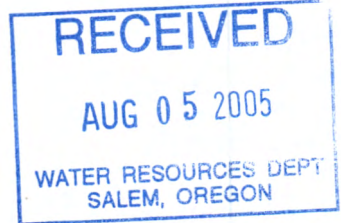


Customer Maintenance - History - Electric

Cust # 4552-6 Name MC ALLISTER RANCHES INC. Rating 9015

	1999		1998		1997		
	Usage	Charges	Usage	Charges	Usage	Charges	
Jan							
Feb							
Mar							
Apr							
May							
Jun	1775	60.35			8113	275.84	
Jul	1489	50.63	2	.07	6997	237.90	
Aug	559	19.01	212	7.21	6223	211.58	
Sep	377	12.82	522	17.75	2917	99.18	
Oct	180	6.12	262	105.97	1156	39.30	
Nov					467	15.88	
Dec		35.54-					
Tot	4380	113.39	998	131.00	25873	879.68	
Avg	730	18.90	250	32.75	4312	146.61	
F1=No Chgs/Chgs	F2=Next Service		F3=Exit		F5=Yrs-Forward		F6=Yrs-Previous
F12=Cancel	F23=Status						

T. 9990



Customer Maintenance - History - Electric

Cust # 4552-6 Name MC ALLISTER RANCHES INC. Rating 9015

	2002		2001		2000		
	Usage	Charges	Usage	Charges	Usage	Charges	
Jan							
Feb							
Mar							
Apr					64	2.18	
May	1623	55.18	1103	37.50	2830	96.22	
Jun	5698	193.73	3586	121.92	5597	190.30	
Jul	6497	220.90	6264	212.98	7360	250.24	
Aug	9046	307.56	609	20.71	6172	209.85	
Sep	5916	201.14	671	22.81	3649	124.07	
Oct	2771	99.76	295	10.03	509	17.31	
Nov							
Dec							
Tot	31551	1078.27	12528	425.95	26181	890.17	
Avg	4507	154.04	1790	60.85	2618	89.02	
F1=No Chgs/Chgs		F2=Next Service		F3=Exit		F5=Yrs-Forward	F6=Yrs-Previous
F12=Cancel		F23=Status					

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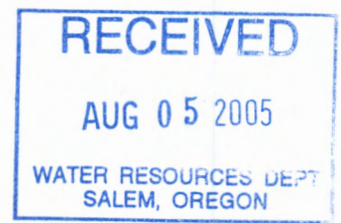
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Customer Maintenance - History - Electric

Cust # 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-	
May	1729	69.68	1603	64.60			
Jun	366	14.75	5847	235.63	3884	139.82	
Jul			2190	88.26	4213	151.67	
Aug			8978	361.81	8310	299.16	
Sep			4032	162.49	4823	173.63	
Oct			2679	107.96	220	7.92	
Nov							
Dec							
Tot	2095	84.43	25591	1031.31	21982	791.35	
Avg	698	28.14	3656	147.33	2748	98.92	
F1=No Chgs/Chgs		F2=Next Service		F3=Exit		F5=Yrs-Forward	F6=Yrs-Previous
F12=Cancel		F23=Status					

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7.9999

**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

Suzanne Alper
SECRETARY

*pd in full
6-14-05*

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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.

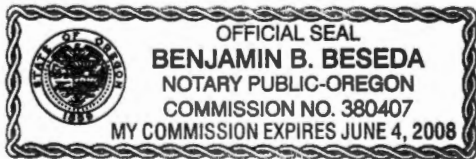
Durmac Ranches understands the purpose of this transfer and has no objections to this transfer being completed.

William R. McAllister
William R. McAllister, President

Date: 8/1/05

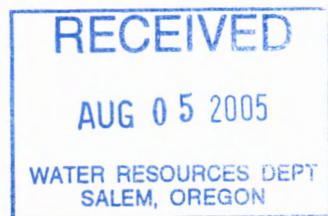
STATE OF OREGON)
) ss.
County of Wasco)

Subscribed and Sworn to Before Me this 1st day of August, 2005.



[Signature]
Notary Public for Oregon
My Commission expires: JUNE 4, 2008

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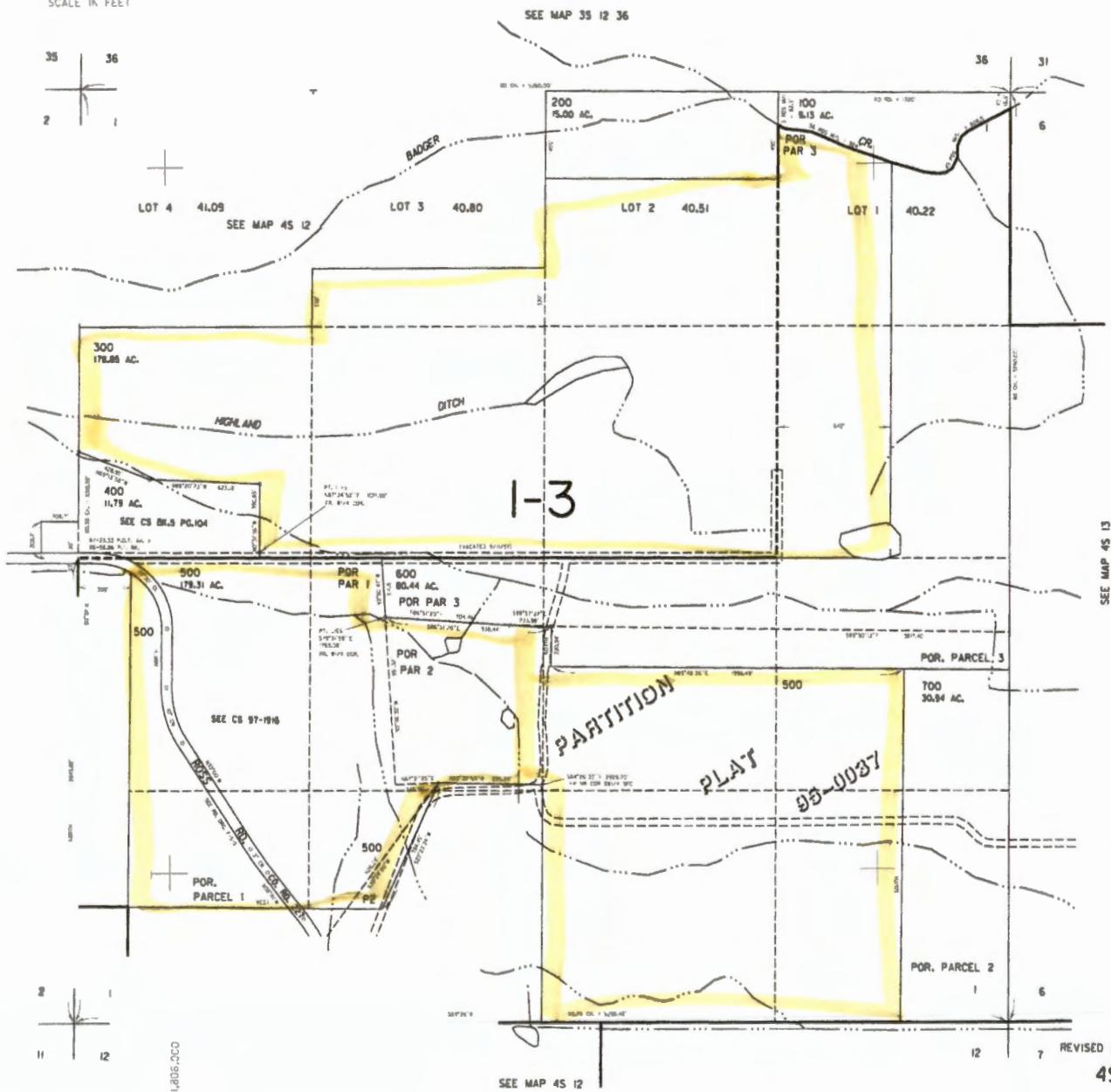
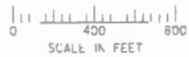


<wo#11572>

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 1 T.4S. R.12E. W.M.
WASCO COUNTY
1" = 400'

4S 12 1



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SEE MAP 45 12 2

SEE MAP 45 13

SEE MAP 45 12

REVISED 12-3-97, 9C

4S 12 1

PARCEL RECORD - Cartographic Unit

Code Area 1-3	Township 4S	Range 12	Section 1	1/4	1/16	Parcel Number 500	Type	Number	Formerly part of _____	
Map Number						Special Interest		History of Parcel		
Tax Lot Number								Exceptions/Additions		
History of Parcel Prior to Re-mapping						Date of Entry/ Acquisition		Deed Record		
Previous Account Number 10860						Previous Tax Lot Number 4S 12 200		Volume	Page	Acres Remaining

4S	12	200	1-3
TWP	RSE. E	SEC	1/4
MAP NUMBER	TAX LOT NUMBER	TYPE	APPC. INT. IN REAL PROP.
ACCOUNT NUMBER	CODE AREA NUMBER		

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
WASCO COUNTY ASSESSOR'S OFFICE
FORMERLY PART OF T.L. PROC 2

INCIDENT EACH NEW COURSE TO THIS POINT	ADDITIONAL DESCRIPTION AND RECORD OF CHANGE	DATE OF ENTRY ON THIS CARD	DEED RECORD VOL.	PG.	ACRES REMAINING
	th N0E to sd pt that bears S64°26'33"E 2929.70' fr the NW cor of the SW1/4 sd Sec 1; th N89°32'59"W 595.29'; th S23°23'24"W 784.45'; th S90°W to the E/L of the W 300.00; of the SW1/4 sd Sec 1; th N0°E alg sd E line to the N/L of the SW1/4 of sd Sec 1; th E alg sd N/L to a pt that bears N3°50'47"W of the TPOB; th S3°50'47"E to the TPOB. Exc: Co. Rd.	7/18/97			179.31
	Acres Correction	12/1/97			175.09
	Also: Vacated Ross Rd adjacent	12/1/97			179.31

9666.4

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SALEM, OREGON

WARRANTY DEED

Until a change is requested, all tax statements should be sent to: *Att: Debra M. Allister*
Durm Mac Ranches, Inc. *955 SW Barnes Rd Suite 410*
Portland OR 97225

After recording return to:
Dunn, Toole, Coats & Carter
112 W. Fourth Street
The Dalles, OR 97058

The true consideration for this transfer is \$118,000.00.

WESLEY ROSS and SUZANN ROSS ALSUP, Grantors, convey and warrant to DURMAC RANCHES, INC., Grantee, the following described real property in the County of Wasco, State of Oregon, free of encumbrances except as specifically set forth herein:

Township 11 North, Range 12 East of the Willamette Meridian, Wasco County, Oregon:

1. Section 1: Lot 2; SW¹/₄ NW¹/₄; the South 10 acres of Lot 3 and the SW¹/₄ NE¹/₄.

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 seconds West 623.18 feet; thence North 69 degrees 13 minutes 58 seconds West to the West line of the NW¹/₄ 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 NW¹/₄ 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.

ALSO EXCEPTING THEREFROM: The North 15 acres of Lot 2.

2. An easement ten feet in width for the construction, operation, maintenance, and repair of

DUNN, TOOLE, COATS & CARTER
ATTORNEYS AT LAW
112 West Fourth Street
THE DALLES, OREGON 97058
(503) 264-9000

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1 an underground irrigation water line extending from
2 the West line of the East 690 feet of the SE¼NE¼ of
3 Section 2, Township 4 South, Range 12 East of the
4 Willamette Meridian, Wasco County, Oregon, running
thence in an Easterly direction across the East 690
feet of said SE¼NE¼ of Section 2, and further
extending, from West to East across the following
described tract:

5 Beginning at the Southwest corner of said Section 1;
6 thence North 2645.53 feet to the West quarter corner
7 of said Section 1; thence North 87 degrees 34
8 minutes 52 seconds East 1021.9 feet to the true
9 point of beginning of the herein described tract;
10 thence North 0 degrees 31 minutes 56 seconds West
11 390.85 feet; thence North 88 degrees 20 minutes 23
12 seconds West 623.18 feet; thence North 69 degrees 13
13 minutes 58 seconds West to the West line of the NW¼
14 of said Section; thence South along the said West
15 line to the West quarter corner of said Section;
16 thence East along the South line of said NW¼ to a
17 point bearing South 0 degrees 31 minutes 56 seconds
18 East of the true point of beginning; thence North 0
19 degrees 31 minutes 56 seconds West to the true point
20 of beginning, all in Section 1, Township 4 South,
21 Range 12 EWM, Wasco County, Oregon, to a point on
22 the East line of said tract just described.

23 SUBJECT TO AND EXCEPTING:

- 24 1. The assessment roll and the tax roll do not show that
25 the within described premises were specially
26 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.
- 27 2. Rights of the public in and to that portion of the
28 herein described property lying within the
29 boundaries of roads and highways.
- 30 3. The premises are within the boundaries of the Badger
31 Improvement District, and are subject to the levies,

32 2 - WARRANTY DEED

Page

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Page

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.
- 5. 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 FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 24th day of May, 1995.

Wesley Ross
WESLEY ROSS

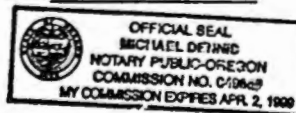
Suzann Ross Alsop
SUZANN ROSS ALSUP

STATE OF OREGON)
County of Washington) ss

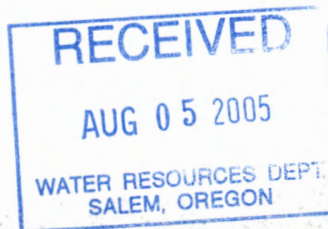
The foregoing instrument was acknowledged before me this 30th day of May, 1995, by Wesley Ross.

Michael D. Smith
Notary Public for Oregon
My Commission Expires: _____

3 - WARRANTY DEED



960151(4)



X 9990

1 STATE OF OREGON)
2) ss
3 County of Wasco)

4 The foregoing instrument was acknowledged before me this
5 day of May, 1995, by Suzann Ross Alsop.

6 Karen Swedberg Broehl
7 Notary Public for Oregon
8 My Commission Expires: _____

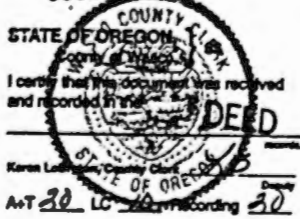


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13 Microfilm No. 960151(4)

14 FILED WASCO CTY
15 THE DALLES OR.

16 JAN 12 10 01 AM '95

17 KAREN R. LEBRETON
18 COUNTY CLERK

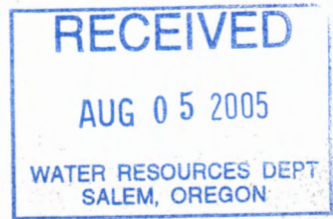


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23 A+T 20 LC 20 recording 30

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26 4 - WARRANTY DEED

Page

960151(4)



7-9990

20043217

Microfilm No.

After Recording Deliver to:

Annala, Carey, Baker & Thompson, P.C.
Attorneys at Law, 305 Cascade Street
P.O. Box 325, Hood River, Oregon 97031

FILED
WASCO COUNTY

2001 JUN 28 P 2:07

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

KAREN LEBRETON COATS
COUNTY CLERK

STATE OF OREGON, } SS
County of Wasco, }

I certify that this document was received
and recorded in the

DEED

records.

Karen LeBreton Coats, County Clerk

LC

A+T 10/1 LC 10 Recording Deputy 10

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

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 (E $\frac{1}{2}$ NE $\frac{1}{4}$) 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.
4. 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 unnamed waterways.
5. Easements for utilities, roads and irrigation pipelines as provided for and/or delineated on said Plat.
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.

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P.O. BOX 325
HOOD RIVER, OREGON 97031
TELEPHONE (541) 386-1811

20043217

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That F. A. MORROW

of Wasco, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of BADGER CREEK

a tributary of White River for the purpose of Irrigation under Permit No. 6734 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 acres in SW 1/4, Section 1, 5 acres in SW 1/4, 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 23rd day of June, 1927.

W. L. LUPER, State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 7221

T-9990

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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, 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 for the purpose of irrigation of 482.3 acres and supplemental irrigation of 654.72 acres, domestic and stock use 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 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, 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, 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:

SEE NEXT PAGE

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PRIMARY-BADGER CREEK

4.0 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 33
T. 3 S., R. 12 E., W. M.

15.0 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 2
T. 4 S., R. 11 E., W. M.

15.0 acres SW $\frac{1}{2}$ NE $\frac{1}{2}$
8.6 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
15.0 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
20.0 acres SW $\frac{1}{2}$ SE $\frac{1}{2}$
30.0 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 1

34.0 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
17.7 acres SE $\frac{1}{2}$ SW $\frac{1}{2}$
16.9 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 2

5.0 acres NW $\frac{1}{2}$ NE $\frac{1}{2}$
20.0 acres SW $\frac{1}{2}$ NE $\frac{1}{2}$
8.0 acres SE $\frac{1}{2}$ NE $\frac{1}{2}$
15.7 acres NE $\frac{1}{2}$ NW $\frac{1}{2}$
4.0 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
8.0 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
6.0 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
5.0 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 3

2.5 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
15.0 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
11.7 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 4

15.0 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 5

20.0 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 7

8.0 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
Section 8

5.0 acres NW $\frac{1}{2}$ NW $\frac{1}{2}$
7.0 acres SW $\frac{1}{2}$ SE $\frac{1}{2}$
6.5 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 9

5.3 acres SW $\frac{1}{2}$ NE $\frac{1}{2}$
7.3 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
10.6 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
Section 10

10.0 acres NE $\frac{1}{2}$ NW $\frac{1}{2}$
6.0 acres SE $\frac{1}{2}$ SW $\frac{1}{2}$
Section 11

12.0 acres NW $\frac{1}{2}$ NE $\frac{1}{2}$
4.0 acres NE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 13

2.5 acres NE $\frac{1}{2}$ NE $\frac{1}{2}$
Section 18

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

10.0 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
10.0 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
10.0 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 6

14.2 acres NE $\frac{1}{2}$ NE $\frac{1}{2}$
26.8 acres NE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 7

10.0 acres NW $\frac{1}{2}$ NW $\frac{1}{2}$
5.0 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 8

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

SUPPLEMENTAL-BADGER LAKE RESERVOIR

4.00 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
14.14 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 33
T. 3 S., R. 12 E., W. M.

10.38 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 2

8.00 acres NW $\frac{1}{2}$ NE $\frac{1}{2}$
Section 12
T. 4 S., R. 11 E., W. M.

15.00 acres SW $\frac{1}{2}$ NE $\frac{1}{2}$
11.52 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
15.00 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
5.35 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
28.00 acres SW $\frac{1}{2}$ SE $\frac{1}{2}$
31.00 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 1

25.80 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
14.14 acres SE $\frac{1}{2}$ SW $\frac{1}{2}$
20.76 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 2

T. 9990

5.00 acres NW $\frac{1}{2}$ NE $\frac{1}{2}$
27.26 acres SW $\frac{1}{2}$ NE $\frac{1}{2}$
15.00 acres NE $\frac{1}{2}$ NW $\frac{1}{2}$
4.00 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
18.14 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
6.00 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
7.00 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 3

T-4313 A POV 011

11.72 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 4

13.00 acres NE $\frac{1}{2}$ NE $\frac{1}{2}$
10.38 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
Section 5

7.00 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
2.00 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
8.95 acres NE $\frac{1}{2}$ SW $\frac{1}{2}$
16.22 acres SE $\frac{1}{2}$ SE $\frac{1}{2}$
Section 7

8.00 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
12.45 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
Section 8

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4.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
7.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
6.50 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9

5.33 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
7.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 10

17.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 11

15.10 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
14.76 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
6.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
7.50 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.50 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12

8.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
4.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13

7.26 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 15

1.70 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 18
T. 4 S., R. 12 E., W. M.

11.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
3.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 5

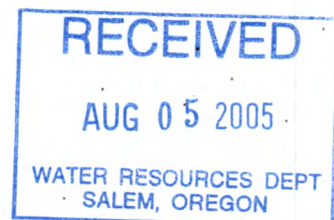
10.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
20.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6

9.40 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
26.80 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 7

20.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
4.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
28.66 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
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

7.9990

C

STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OR 97063

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

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

The point of diversion is located as follows:

SW¹/₄ NE¹/₄, SECTION 32, T 3 S, R 11 E, WM; HIGHLAND DITCH - N 65° 21' W, 1938.2 FEET FROM THE E¹/₄ CORNER, SECTION 32.

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

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

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

SW¹/₄ SE¹/₄ 4.50 ACRES
SE¹/₄ SE¹/₄ 16.50 ACRES
SECTION 33
TOWNSHIP 3 SOUTH, RANGE 12 EAST, W.M.

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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

NE¼ NE¼ 0.30 ACRE
 NW¼ NE¼ 8.90 ACRES
 SW¼ NE¼ 6.00 ACRES

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

SE¼ NE¼ 8.90 ACRES
 SW¼ NW¼ 7.65 ACRES
 NE¼ SE¼ 0.05 ACRE
 NW¼ SE¼ 5.70 ACRES
 SW¼ SE¼ 8.00 ACRES
 SE¼ SE¼ 1.20 ACRES

SECTION 1

SE¼ NE¼ 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

SW¼ NE¼ 10.50 ACRES
 NE¼ SE¼ 16.00 ACRES
 SE¼ SE¼ 2.00 ACRES

SECTION 3

NE¼ NE¼ 13.50 ACRES
 NW¼ NE¼ 3.50 ACRES

SECTION 5

NW¼ NW¼ 3.50 ACRES
 SW¼ NW¼ 7.20 ACRES
 SE¼ NW¼ 2.30 ACRES
 NE¼ SW¼ 12.00 ACRES

SECTION 7

SE¼ SW¼ 2.80 ACRES
 NE¼ SE¼ 2.00 ACRES
 NW¼ SE¼ 20.80 ACRES

SECTION 8

NE¼ NW¼ 8.00 ACRES

SECTION 9

NW¼ NE¼ 1.60 ACRES
 NE¼ NW¼ 7.90 ACRES
 NW¼ NW¼ 4.20 ACRES
 NW¼ SW¼ 10.10 ACRES
 SW¼ SW¼ 7.50 ACRES

SECTION 11

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T.9990

Certificate Number 80637

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C

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.00 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.20 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 18.00 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.50 ACRES

SECTION 12

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.00 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 12.50 ACRES

SECTION 15

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.00 ACRES

SECTION 16

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.20 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11.00 ACRES

SECTION 17

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

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.20 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.00 ACRES

SECTION 5

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.60 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.00 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.60 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.80 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.30 ACRES

SECTION 6

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.00 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.00 ACRES

SECTION 7

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.50 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.10 ACRES

SECTION 9

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

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

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

T-5606A.SB

T-9990


Certificate Number 80637

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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.

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 A. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80637.

T-5606A.SB

T-9990

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SALEM, OREGON

D

STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK and 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~~X~~ SW~~X~~, SECTION 16, T 3 S, R 10 E, WM, and NE~~X~~ SW~~X~~, 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 X NE X	0.5 ACRE	NW X NE X	8.0 ACRES
SECTION 12		SE X NE X	17.0 ACRES
TOWNSHIP 4 SOUTH,		NE X NW X	18.0 ACRES
RANGE 11 EAST, W.M.		NW X NW X	13.2 ACRES
		NW X SE X	10.0 ACRES
NW X NE X	16.2 ACRES	SW X NE X	14.8 ACRES
SW X NE X	19.0 ACRES	SE X SE X	16.9 ACRES
NE X NW X	0.6 ACRE	SECTION 3	
SW X NW X	1.2 ACRES	NE X NE X	5.4 ACRES
SE X NW X	22.0 ACRES	NW X NE X	25.4 ACRES
SE X SW X	19.6 ACRES	NE X NW X	6.0 ACRES
NE X SE X	10.0 ACRES	SE X SW X	7.8 ACRES
NW X SE X	19.4 ACRES	SECTION 4	
SECTION 1		NE X NW X	1.9 ACRES
SE X NE X	1.0 ACRE	NW X NW X	0.2 ACRES
NE X SW X	7.0 ACRES	SW X NW X	2.9 ACRES
NW X SW X	13.3 ACRES	SE X NW X	1.3 ACRES
SW X SW X	21.9 ACRES	NE X SW X	3.6 ACRES
NE X SE X	0.6 ACRES	NW X SW X	2.9 ACRES
SW X SE X	1.5 ACRES	SW X SW X	13.2 ACRES
SE X SE X	29.4 ACRES	SE X SW X	3.8 ACRES
SECTION 2		SECTION 5	

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NW¼ NW¼ 17.7 ACRES
SW¼ NW¼ 3.2 ACRES
SE¼ NW¼ 0.9 ACRES
NE¼ SE¼ 13.9 ACRES
NW¼ SE¼ 7.1 ACRES
SE¼ SE¼ 9.0 ACRES

SECTION 7

NE¼ SW¼ 8.8 ACRES
NW¼ SW¼ 8.4 ACRES
SW¼ SW¼ 10.0 ACRES
SE¼ SW¼ 4.0 ACRES
SW¼ SE¼ 5.0 ACRES

SECTION 8

NE¼ NW¼ 4.0 ACRES
NW¼ NW¼ 4.0 ACRES
SE¼ NW¼ 4.0 ACRES
SE¼ SE¼ 10.1 ACRES

SECTION 9

NE¼ NE¼ 6.6 ACRES
NW¼ NE¼ 3.2 ACRES
SE¼ NE¼ 11.7 ACRES

SECTION 10

NE¼ NE¼ 17.8 ACRES
NW¼ NE¼ 7.8 ACRES
SW¼ NE¼ 0.7 ACRE
SE¼ NE¼ 26.6 ACRES
NE¼ NW¼ 7.1 ACRES
NW¼ NW¼ 2.9 ACRES
SE¼ NW¼ 3.1 ACRES

SECTION 11

NE¼ NE¼ 20.0 ACRES
SE¼ NE¼ 5.0 ACRES
NE¼ NW¼ 5.0 ACRES
SE¼ SW¼ 2.1 ACRES

SECTION 12

NE¼ NE¼ 5.0 ACRES
NW¼ NE¼ 4.0 ACRES

SECTION 13

NE¼ NW¼ 8.4 ACRES

SECTION 15

NE¼ NE¼ 10.0 ACRES
NW¼ NE¼ 25.0 ACRES

SECTION 16

NW¼ NE¼ 5.0 ACRES
NW¼ NW¼ 7.0 ACRES

SECTION 17

NE¼ NE¼ 2.5 ACRES

SECTION 18

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

NE¼ SW¼ 7.4 ACRES
NW¼ SW¼ 20.0 ACRES
SE¼ SW¼ 11.5 ACRES
NW¼ SE¼ 4.0 ACRES
SW¼ SE¼ 8.6 ACRES

SECTION 5

NE¼ SW¼ 20.6 ACRES
NW¼ SW¼ 10.0 ACRES
SE¼ SW¼ 37.0 ACRES
SW¼ SE¼ 20.0 ACRES

SECTION 6

NW¼ NE¼ 20.0 ACRES
SW¼ NE¼ 25.3 ACRES
SE¼ NE¼ 18.0 ACRES
NW¼ NW¼ 20.0 ACRES
SW¼ NW¼ 8.5 ACRES
SE¼ NW¼ 11.0 ACRES
SW¼ SW¼ 5.0 ACRES
SE¼ SW¼ 4.4 ACRES
NE¼ SE¼ 8.0 ACRES
NW¼ SE¼ 2.8 ACRES

SECTION 7

NE¼ NW¼ 20.0 ACRES
SW¼ NW¼ 22.8 ACRES
SE¼ NW¼ 7.6 ACRES
NE¼ SW¼ 5.0 ACRES

SECTION 8

NE¼ SW¼ 6.2 ACRES
SE¼ SW¼ 7.0 ACRES

SECTION 9

TOWNSHIP 4 SOUTH,
RANGE 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 ~~JUN 04 1999~~, 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.

T-9990

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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 04 1999.

151 Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76222.

T-8215.LHN

7-9990

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F

STATE OF OREGON
COUNTY OF WASCO
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
BADGER IMPROVEMENT DISTRICT
80309 ROSS ROAD
TYGH VALLEY, OREGON 97063

confirms the right to use the waters of BADGER CREEK and 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:

NE¼ SW¼, SECTION 29, T 3 S, R 11 E, WM; BADGER CREEK - 1290 FEET SOUTH AND 550 FEET WEST FROM THE CENTER, SECTION 29; and

SW¼ SW¼, 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 amount 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

NE¼ NE¼	2.60 ACRES	NE¼ NW¼	2.00 ACRES
SW¼ NE¼	3.60 ACRES	NW¼ NW¼	12.40 ACRES
SE¼ NE¼	19.10 ACRES	SW¼ NW¼	1.60 ACRES
NE¼ NW¼	8.80 ACRES	SE¼ NW¼	7.10 ACRES
SE¼ NW¼	0.20 ACRE	NE¼ SW¼	23.70 ACRES
NE¼ SW¼	21.90 ACRES	NW¼ SW¼	13.90 ACRES
NW¼ SW¼	8.00 ACRES	NE¼ SE¼	8.80 ACRES
SW¼ SW¼	0.50 ACRE	NW¼ SE¼	38.90 ACRES
SE¼ SW¼	5.20 ACRES	SW¼ SE¼	12.20 ACRES
NE¼ SE¼	29.35 ACRES	SE¼ SE¼	9.20 ACRES
NW¼ SE¼	12.80 ACRES		
SW¼ SE¼	11.60 ACRES		SECTION 2
SE¼ SE¼	8.80 ACRES		

SECTION 1

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E

NW¼ NE¼ 9.40 ACRES
 SW¼ NE¼ 8.30 ACRES
 SE¼ NE¼ 11.20 ACRES
 NE¼ NW¼ 5.10 ACRES
 NW¼ NW¼ 10.00 ACRES
 NE¼ SE¼ 12.60 ACRES
 NW¼ SE¼ 11.80 ACRES
 SW¼ SE¼ 2.90 ACRES
 SE¼ SE¼ 4.90 ACRES

SECTION 3

NE¼ NE¼ 9.00 ACRES
 NW¼ NE¼ 1.00 ACRES
 NE¼ NW¼ 8.30 ACRES
 SW¼ NW¼ 7.90 ACRES
 SE¼ NW¼ 5.20 ACRES
 SE¼ SW¼ 2.60 ACRES

SECTION 4

NW¼ NW¼ 9.85 ACRES
 SW¼ SE¼ 7.20 ACRES
 SE¼ SE¼ 9.80 ACRES

SECTION 7

NE¼ SW¼ 7.60 ACRES
 NW¼ SW¼ 6.80 ACRES
 SW¼ SW¼ 20.20 ACRES
 SE¼ SW¼ 13.00 ACRES
 NE¼ SE¼ 12.00 ACRES
 SW¼ SE¼ 10.70 ACRES
 SE¼ SE¼ 0.50 ACRES

SECTION 8

NE¼ SW¼ 39.10 ACRES
 NW¼ SW¼ 1.65 ACRES
 SW¼ SE¼ 26.80 ACRES
 SE¼ SE¼ 18.60 ACRES

SECTION 9

NE¼ NE¼ 11.60 ACRES
 SE¼ NE¼ 3.90 ACRES
 NE¼ SE¼ 28.70 ACRES
 NW¼ SE¼ 30.00 ACRES

SECTION 10

NW¼ NE¼ 10.00 ACRES
 SW¼ NE¼ 2.10 ACRES
 NW¼ NW¼ 1.10 ACRES
 SW¼ NW¼ 18.20 ACRES
 SE¼ NW¼ 15.90 ACRES
 NE¼ SW¼ 3.35 ACRES
 NW¼ SW¼ 7.00 ACRES
 SW¼ SW¼ 16.50 ACRES
 SE¼ SW¼ 12.20 ACRES
 SW¼ SE¼ 3.45 ACRES

SECTION 11

NE¼ NE¼ 18.50 ACRES
 NW¼ NE¼ 23.00 ACRES
 SE¼ NE¼ 7.50 ACRES
 NE¼ NW¼ 1.60 ACRES
 NW¼ NW¼ 20.70 ACRES
 SW¼ NW¼ 12.80 ACRES
 SE¼ NW¼ 16.20 ACRES
 SE¼ SW¼ 13.70 ACRES
 SW¼ SE¼ 6.90 ACRES
 SE¼ SE¼ 1.80 ACRES

SECTION 12

NE¼ NE¼ 26.20 ACRES
 NW¼ NE¼ 16.80 ACRES
 NE¼ NW¼ 13.60 ACRES
 NW¼ NW¼ 3.00 ACRES

SECTION 13

NE¼ NE¼ 12.40 ACRES

SECTION 14

NE¼ NW¼ 4.80 ACRES
 NW¼ NW¼ 14.30 ACRES

SECTION 15

NE¼ NE¼ 20.80 ACRES
 NW¼ NE¼ 4.70 ACRES
 NE¼ NW¼ 1.00 ACRES

SECTION 16

NW¼ NE¼ 1.40 ACRES
 NE¼ NW¼ 3.20 ACRES
 NW¼ NW¼ 5.00 ACRES

SECTION 17

NE¼ NE¼ 3.80 ACRES
 NW¼ NE¼ 2.05 ACRES

SECTION 18

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

NE¼ SW¼ 1.40 ACRES
 NW¼ SW¼ 12.80 ACRES
 SW¼ SW¼ 28.40 ACRES
 SE¼ SW¼ 24.70 ACRES
 NW¼ SE¼ 1.80 ACRES
 SW¼ SE¼ 3.80 ACRES

SECTION 5

SW¼ NW¼ 4.60 ACRES
 SE¼ NW¼ 1.70 ACRES
 NE¼ SW¼ 9.90 ACRES
 NW¼ SW¼ 23.30 ACRES
 SW¼ SW¼ 38.00 ACRES
 SE¼ SW¼ 0.60 ACRE
 NE¼ SE¼ 18.80 ACRES
 NW¼ SE¼ 28.90 ACRES
 SW¼ SE¼ 18.20 ACRES
 SE¼ SE¼ 14.90 ACRES

SECTION 6

NE¼ NE¼ 20.20 ACRES
 NW¼ NE¼ 9.70 ACRES
 SW¼ NE¼ 12.00 ACRES
 SE¼ NE¼ 4.30 ACRES
 NE¼ NW¼ 11.40 ACRES
 NW¼ NW¼ 17.30 ACRES
 SW¼ NW¼ 18.60 ACRES
 SE¼ NW¼ 13.30 ACRES

SECTION 7

SW¼ SW¼ 11.00 ACRES
 NE¼ SE¼ 6.00 ACRES
 NW¼ SE¼ 2.80 ACRES

SECTION 7

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NE¼ NW¼ 17.70 ACRES
 NW¼ NW¼ 5.50 ACRES
 SW¼ NW¼ 10.80 ACRES
 SE¼ NW¼ 3.60 ACRES
 NE¼ SW¼ 7.60 ACRES
 SE¼ SW¼ 0.30 ACRE
 NE¼ SE¼ 34.00 ACRES
 NW¼ SE¼ 20.00 ACRES
 SW¼ SE¼ 9.20 ACRES

SECTION 8

NE¼ SW¼ 7.00 ACRES
 NW¼ SW¼ 9.80 ACRES
 SW¼ SW¼ 1.90 ACRES
 SE¼ SW¼ 1.70 ACRES
 NE¼ SE¼ 4.80 ACRES
 NW¼ SE¼ 16.40 ACRES

SECTION 9
 TOWNSHIP 4 SOUTH,
 RANGE 13 EAST, W.M.

SW¼ SW¼ 3.60 ACRES
 SE¼ SW¼ 0.20 ACRE

SECTION 34
 TOWNSHIP 3 SOUTH,
 RANGE 12 EAST, W.M.

SUPPLEMENTAL - RESERVOIR

SE¼ NE¼ 11.90 ACRES
 SW¼ NW¼ 10.58 ACRES
 NE¼ SW¼ 0.90 ACRE
 NE¼ SE¼ 0.05 ACRE
 NW¼ SE¼ 0.45 ACRE
 SW¼ SE¼ 0.30 ACRE
 SE¼ SE¼ 0.20 ACRE

SECTION 1

SW¼ NW¼ 8.20 ACRES
 SE¼ NW¼ 27.30 ACRES
 NE¼ SW¼ 8.40 ACRES
 SW¼ SW¼ 3.60 ACRES
 NE¼ SE¼ 9.24 ACRES

SECTION 2

SW¼ NE¼ 2.90 ACRES
 SE¼ NE¼ 8.00 ACRES
 NE¼ NW¼ 0.70 ACRE
 NE¼ SE¼ 5.86 ACRES

SECTION 3

SW¼ NW¼ 2.50 ACRES
 SE¼ NW¼ 8.28 ACRES

SECTION 4

SE¼ NW¼ 4.62 ACRES

SECTION 5

NW¼ NW¼ 3.50 ACRES
 SE¼ SE¼ 3.78 ACRES

SECTION 7

SE¼ SW¼ 2.80 ACRES

SECTION 8

NE¼ SE¼ 0.30 ACRE
 NW¼ SE¼ 0.60 ACRE

SECTION 10

NW¼ NE¼ 1.60 ACRES
 NE¼ NW¼ 0.90 ACRE
 NW¼ NW¼ 4.20 ACRES
 NW¼ SW¼ 0.10 ACRE
 SW¼ SW¼ 4.50 ACRES
 SE¼ SW¼ 6.00 ACRES

SECTION 11

NW¼ NE¼ 12.30 ACRES
 SE¼ NE¼ 1.00 ACRE
 NE¼ NW¼ 6.00 ACRES
 NW¼ NW¼ 3.24 ACRES
 SW¼ NW¼ 1.30 ACRES
 SE¼ NW¼ 2.80 ACRES

SECTION 12

NW¼ NE¼ 4.00 ACRES
 NW¼ NW¼ 14.00 ACRES

SECTION 13

NE¼ NW¼ 4.00 ACRES
 NW¼ NW¼ 5.24 ACRES

SECTION 15

NE¼ NW¼ 4.20 ACRES

SECTION 17

NE¼ NE¼ 0.80 ACRE

SECTION 18

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

SW¼ SW¼ 0.20 ACRE

SECTION 5

SW¼ NW¼ 4.60 ACRES
 NE¼ SW¼ 4.00 ACRES
 NW¼ SW¼ 4.60 ACRES
 SW¼ SE¼ 1.80 ACRES
 SE¼ SE¼ 4.30 ACRES

SECTION 6

NE¼ NE¼ 9.80 ACRES
 NW¼ NE¼ 10.00 ACRES
 SW¼ NW¼ 1.00 ACRES

SECTION 7

SW¼ NE¼ 23.00 ACRES
 SE¼ NE¼ 26.60 ACRES
 NW¼ NW¼ 10.50 ACRES

SECTION 8

NW¼ SW¼ 3.50 ACRES
 SW¼ SW¼ 1.10 ACRES

SECTION 9

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

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SUPPLEMENTAL - STREAM AND RESERVOIR

SWX SEX 1.00 ACRE
SECTION 9

SEX SWX 21.40 ACRES
SECTION 12

SWX NEX 6.00 ACRES
SEX NEX 4.60 ACRES
NEX SEX 4.60 ACRES
SECTION 10

NEX NWX 20.00 ACRES
SECTION 13
TOWNSHIP 4 SOUTH,
RANGE 12 EAST, W.M.

NWX NEX 5.00 ACRES
NEX NWX 10.00 ACRES
NWX NWX 6.20 ACRES
SWX NWX 3.00 ACRES
NWX SWX 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 JUN 04 1989, 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 1989

1st Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 76223.

T-8215.LMN

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SALEM, OREGON

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STATE OF OREGON

COUNTY OF

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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, 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 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*

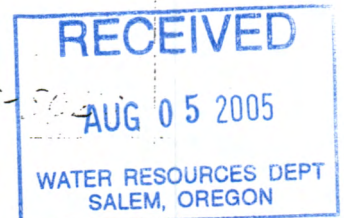
and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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-50

Acres of land to receive benefit by a water exchange

0.8 acre NE 1/4 NE 1/4
6.0 acres NW 1/4 NE 1/4
Section 12
Township 4 South, Range 11 East, WM

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
Section 3

14.4 acres NE 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
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

17.2 acres NE 1/4 NW 1/4
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
Section 16

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

14.8 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

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 Reservoir

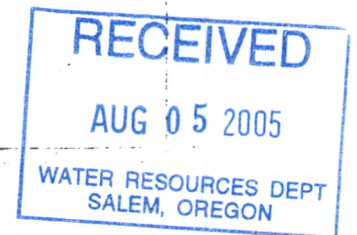
2.6 acres NE 1/4 NE 1/4
16.2 acres NW 1/4 NE 1/4
37.6 acres SW 1/4 NE 1/4
31.0 acres SE 1/4 NE 1/4
9.4 acres NE 1/4 NW 1/4
14.7 acres SW 1/4 NW 1/4
37.2 acres SE 1/4 NW 1/4
22.8 acres NE 1/4 SW 1/4
8.0 acres NW 1/4 SW 1/4
0.5 acre SW 1/4 SW 1/4
24.8 acres SE 1/4 SW 1/4
39.4 acres NE 1/4 SE 1/4
37.6 acres NW 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

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
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
38.9 acres NW 1/4 SE 1/4
13.7 acres SW 1/4 SE 1/4
38.6 acres SE 1/4 SE 1/4
Section 2

36.2 acres SE 1/4 NE 1/4
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
 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
 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

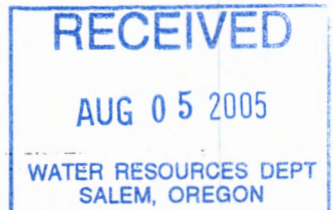
0.2 acre NW 1/4 NW 1/4
 Section 18

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

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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

James E. Sexton
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51486
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T-9990

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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 for the purpose of supplemental irrigation of 3,435.5 acres

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, W4; Three Mile Creek - 1,530 feet South and 4,580 feet West from NE Corner, Section 11

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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. Water from the reservoir is to provide a supplemental supply for lands being benefitted 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 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:

SEE NEXT PAGE

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T-1000

Acres of land to receive benefit by a water exchange

0.8 acre NE 1/4 NE 1/4
6.0 acres NW 1/4 NE 1/4
Section 12
Township 4 South, Range 11 East, WM

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
Section 3

14.4 acres NE 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
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

17.2 acres NE 1/4 NW 1/4
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
Section 16

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

14.8 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

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 Reservoir

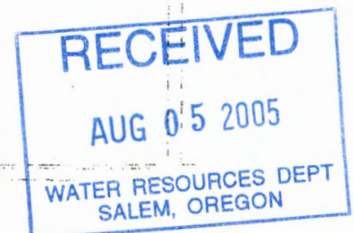
2.6 acres NE 1/4 NE 1/4
16.2 acres NW 1/4 NE 1/4
37.6 acres SW 1/4 NE 1/4
31.0 acres SE 1/4 NE 1/4
9.4 acres NE 1/4 NW 1/4
14.7 acres SW 1/4 NW 1/4
37.2 acres SE 1/4 NW 1/4
22.8 acres NE 1/4 SW 1/4
8.0 acres NW 1/4 SW 1/4
0.5 acre SW 1/4 SW 1/4
24.8 acres SE 1/4 SW 1/4
39.4 acres NE 1/4 SE 1/4
37.6 acres NW 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

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
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
38.9 acres NW 1/4 SE 1/4
13.7 acres SW 1/4 SE 1/4
38.6 acres SE 1/4 SE 1/4
Section 2

36.2 acres SE 1/4 NE 1/4
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
 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
 14.1 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

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

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.

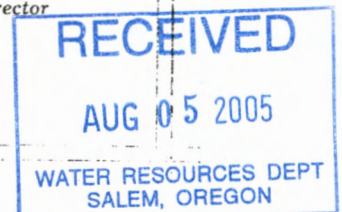
WITNESS the signature of the Water Resources Director, affixed

this date. February 24, 1983

James E. Seaman
 Water Resources Director

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

1-9990



TRANSFER CHECK OFF LIST

TRANSFER FILE # 9990
DATE RECEIVED 8-5-05
DATE MONEY SLIPPED 8-5-05
DATE RECEIPTED 8-5-05
VALID WATER RIGHT? Yes No
TEMP ALT AC ___ (Greg) IRR DIST ___ (Greg) PERM AMEND ___ (Kelly) DIV 15 (Bernie Assigns)
TEMP Div 15 ___ (Bernie) ISWR: ___ COPIES TO LIAISON ___

LETTER FROM ATTORNEY ___ YES (PUT INFO ON FRONT COVER) NO

FOLDER FILLED OUT* yes
INDEX CARD yes
ENTERED IN DB yes

F T# ___
CONTENTS MARKED yes
COLOR CODED Yes
4 COPIES MADE & STAMPED yes

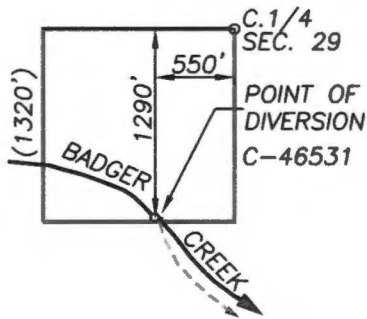
CERTIFICATE MARKED yes
CERTIFICATE COPIED yes
PULL APPLICATIONS yes
APP FOLDER MARKED yes
FINAL PROOF MAP COPIED yes
PERMIT MARKED
PERMIT COPIED
PERMIT MAP COPIED
DECREE MARKED
DECREE COPIED
ADJUDICATION MAP COPIED

ENTRIES CHECKED _____ CHECKED BY _____ INIT FOLDER _____
PUBLIC NOTICE DATE 8-16-05 (PREPARED & COPIED) yes
LETTER SENT yes Irrigation District yes (copy of app & map)
COPY TO WM yes
BLUE FORM TO WM yes Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
COPY TO GW no POA, APOA, or [SW TO GW ONLY(as POD)]
BLUE FORM TO GW no Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
COPY TO CWRE yes
LETTER TO ODFW yes ALL Surface water POU/USE (POD and APOD FISH SCREENS)
TRANSFER SENT TO: nc Drawer SW --- NCR --- SCR --- ER

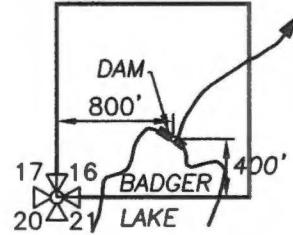
*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

WASCO COUNTY, OREGON

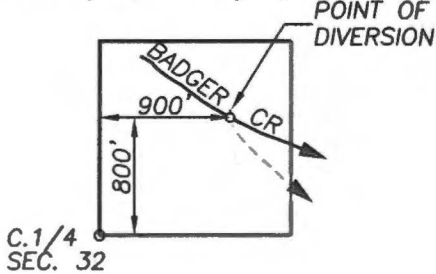
BADGER CREEK
TWP. 3 S., RANGE 11 E. W.M.
NE.1/4, SW.1/4, SEC. 29



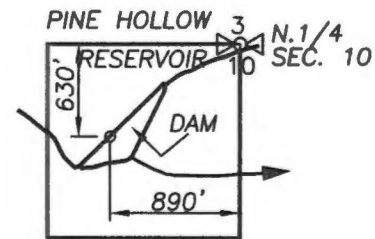
BADGER LAKE RESERVOIR
TWP. 3 S., RANGE 10 E. W.M.
SW.1/4, SW.1/4, SEC. 16



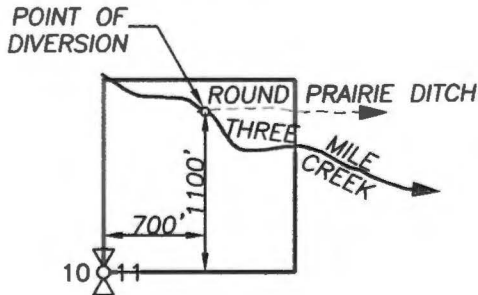
BADGER CREEK
(SOUTH FORK BADGER CREEK)
TWP. 3 S., RANGE 11 E. W.M.
SW.1/4, NE.1/4, SEC. 32



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



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'

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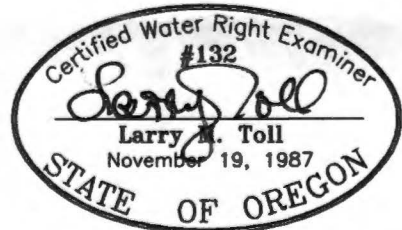
APPLICATION No. T-9990

PERMIT No. _____

IN THE NAME OF:

McALLISTER RANCH

DATE: JULY 7, 2005



EXPIRES: 06/30/06

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



NOTE:

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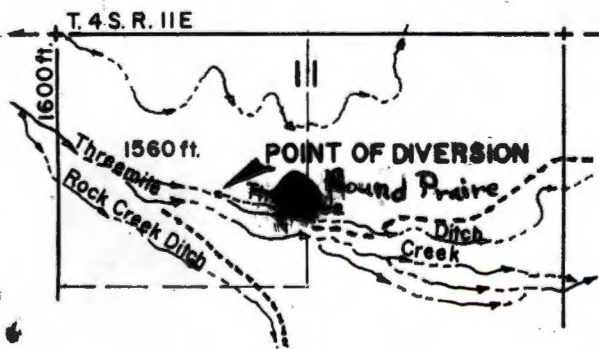
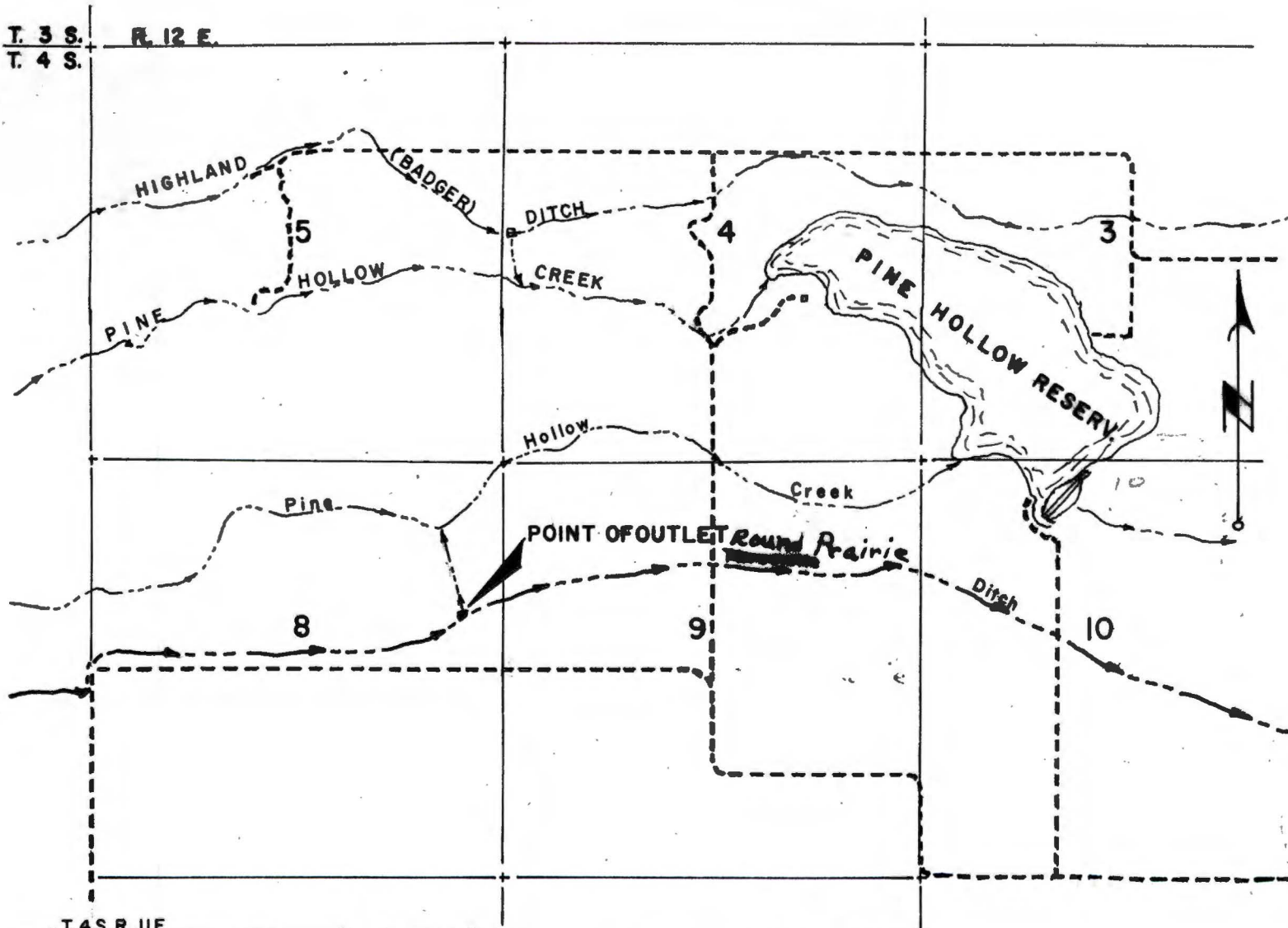
PINE HOLLOW CO OPERATIVE INC.

ROUTE 1 BOX 94
TYGH VALLEY, ORE.

RECEIVED

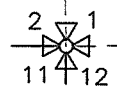
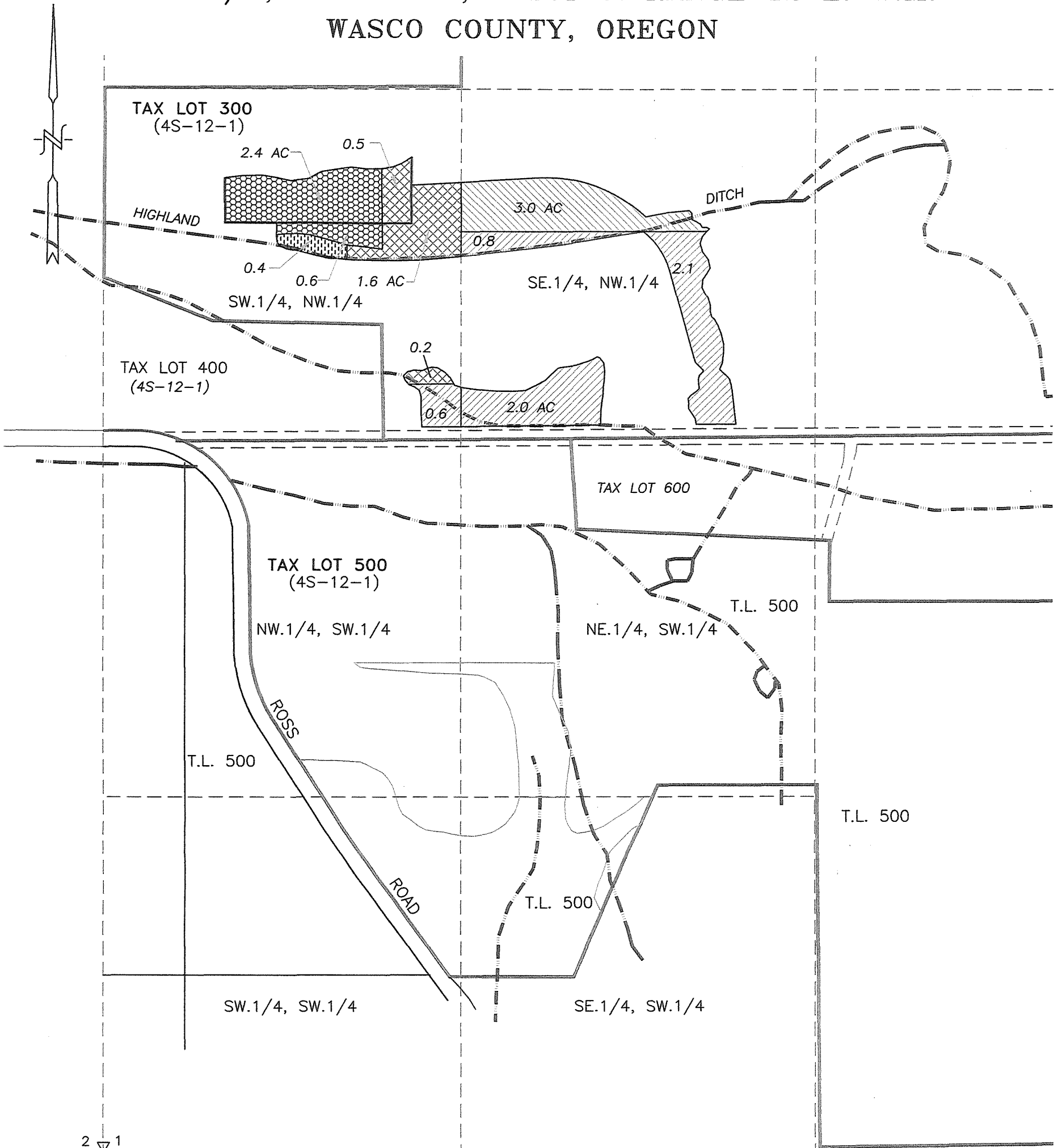
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STATE ENGINEER
SALEM, OREGON

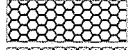


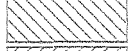
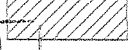


Application No. R-53065 + 53066
Permit No. R 6368 & 39616

IN W.1/2, SECTION 1, TWP.4 S. RANGE 12 E. W.M.
 WASCO COUNTY, OREGON



LEGEND:

-  PERMIT 6734 (SUPPLEMENTAL PERMIT 27390, PERMIT 33228, PERMIT 39616)
-  PERMIT 2163
-  PERMIT 15165 (SUPPLEMENTAL PERMIT 15165)
-  PERMIT 15165 (SUPPLEMENTAL PERMIT 15165, PERMIT 33228, PERMIT 39616))
-  PERMIT 22633 (SUPPLEMENTAL PERMIT 33228, PERMIT 39616)

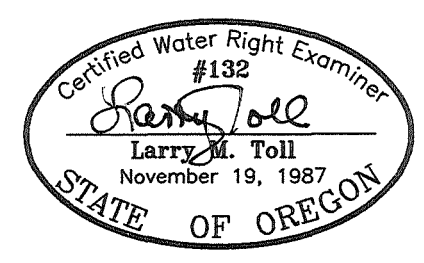
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 WATER RESOURCES DEPT
 SALEM, OREGON

WATER RIGHT TRANSFER OUT MAP

SCALE: 1" = 400'
 SHEET 1 OF 2

APPLICATION No. T-9990
 PERMIT No. _____
 IN THE NAME OF:
McALLISTER RANCHES
 DATE: JUNE 20, 2005

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

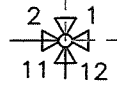
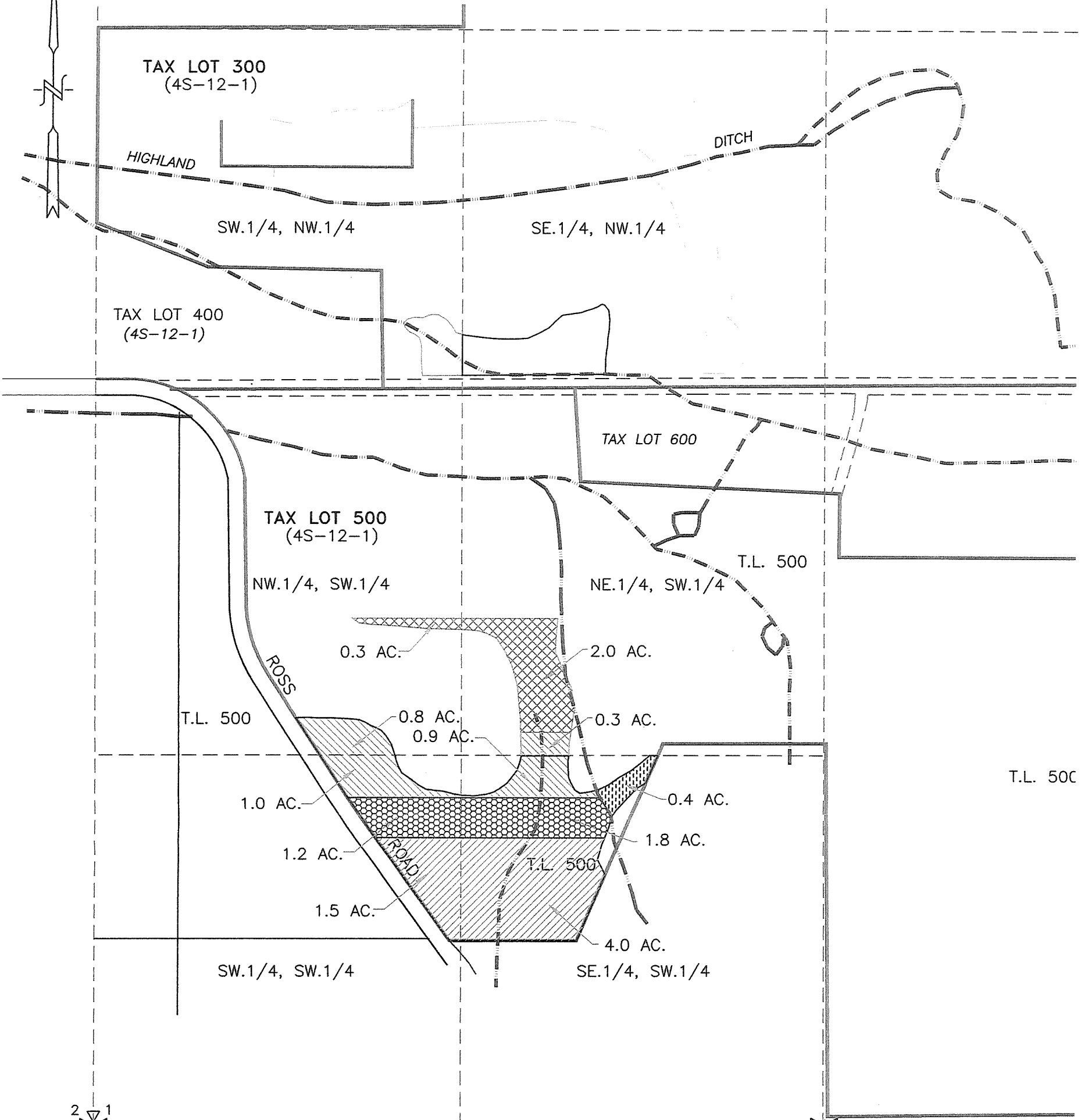


EXPIRES: 06/30/06

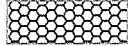


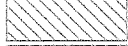
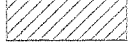
NOTE:
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W.O. #11572wr

IN W.1/2, SECTION 1, TWP.4 S. RANGE 12 E. W.M.
WASCO COUNTY, OREGON



LEGEND:

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-  PERMIT 22633 (SUPPLEMENTAL PERMIT 33228, PERMIT 39616)

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WATER RESOURCES DEPT
SALEM, OREGON

WATER RIGHT TRANSFER IN MAP

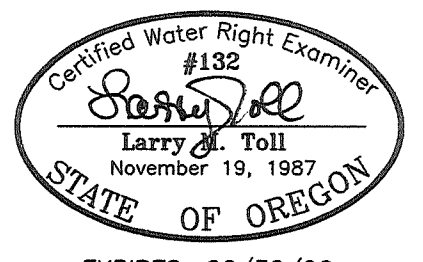
SCALE: 1"= 400'
SHEET 2 OF 2

APPLICATION No. T-9990

PERMIT No. _____

IN THE NAME OF:
McALLISTER RANCHES

DATE: JUNE 20, 2005



EXPIRES: 06/30/06

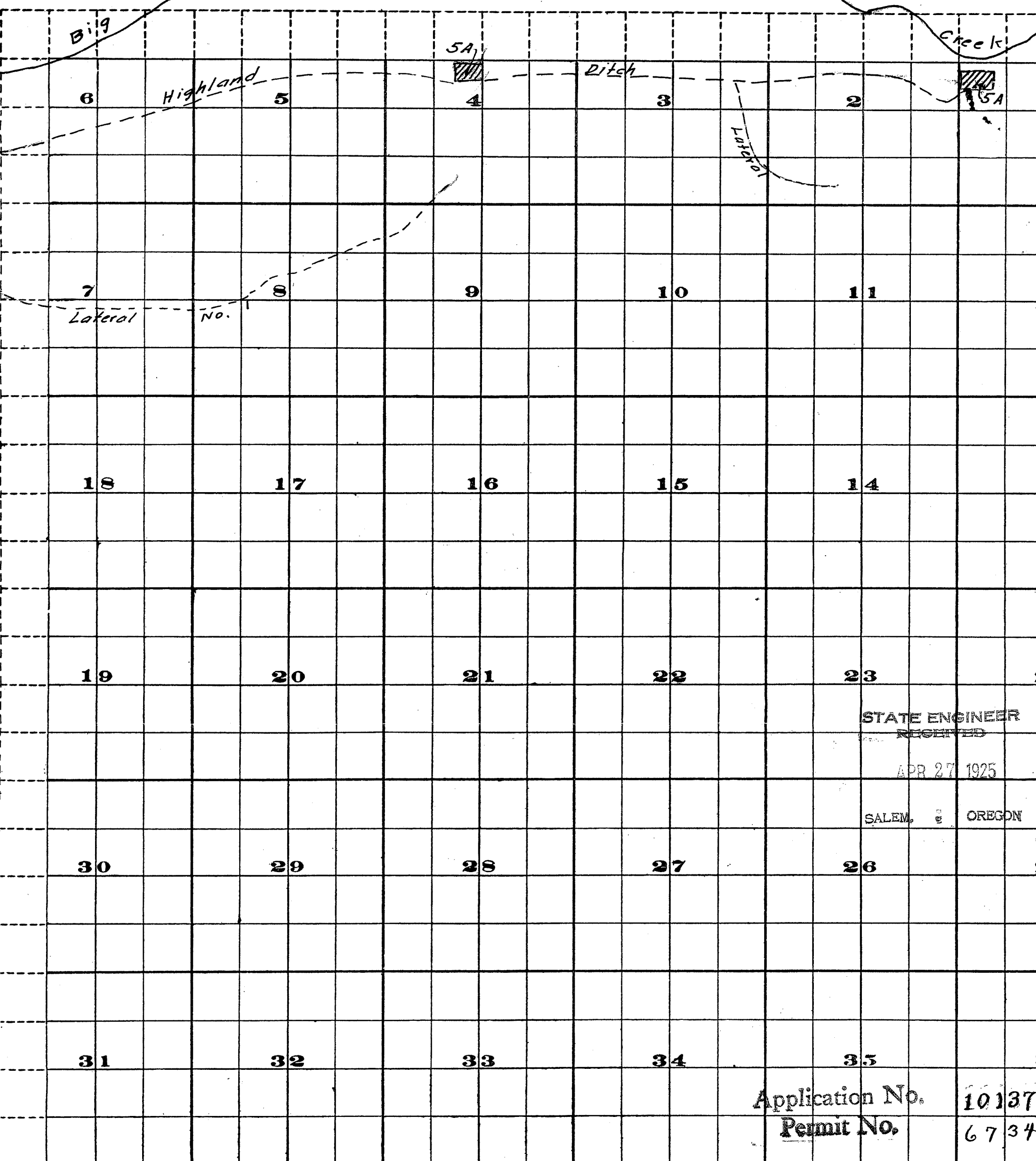
TENNESON ENGINEERING CORP.
CONSULTING ENGINEERS
409 LINCOLN STREET
THE DALLES, OREGON 97058
541-296-9177 FAX 541-296-6657

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W.O. #11572wr

Township 4 S,

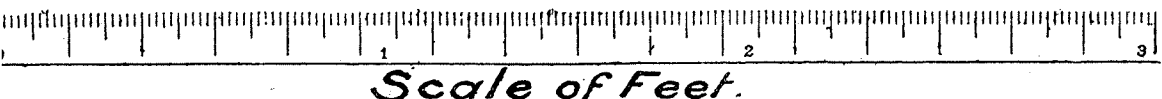
Range 12 E.

Badger



STATE ENGINEER
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APR 27 1925
SALEM, OREGON

Application No. 10137
Permit No. 6734



FROM OFFICE OF THE STATE ENGINEER

Township

45

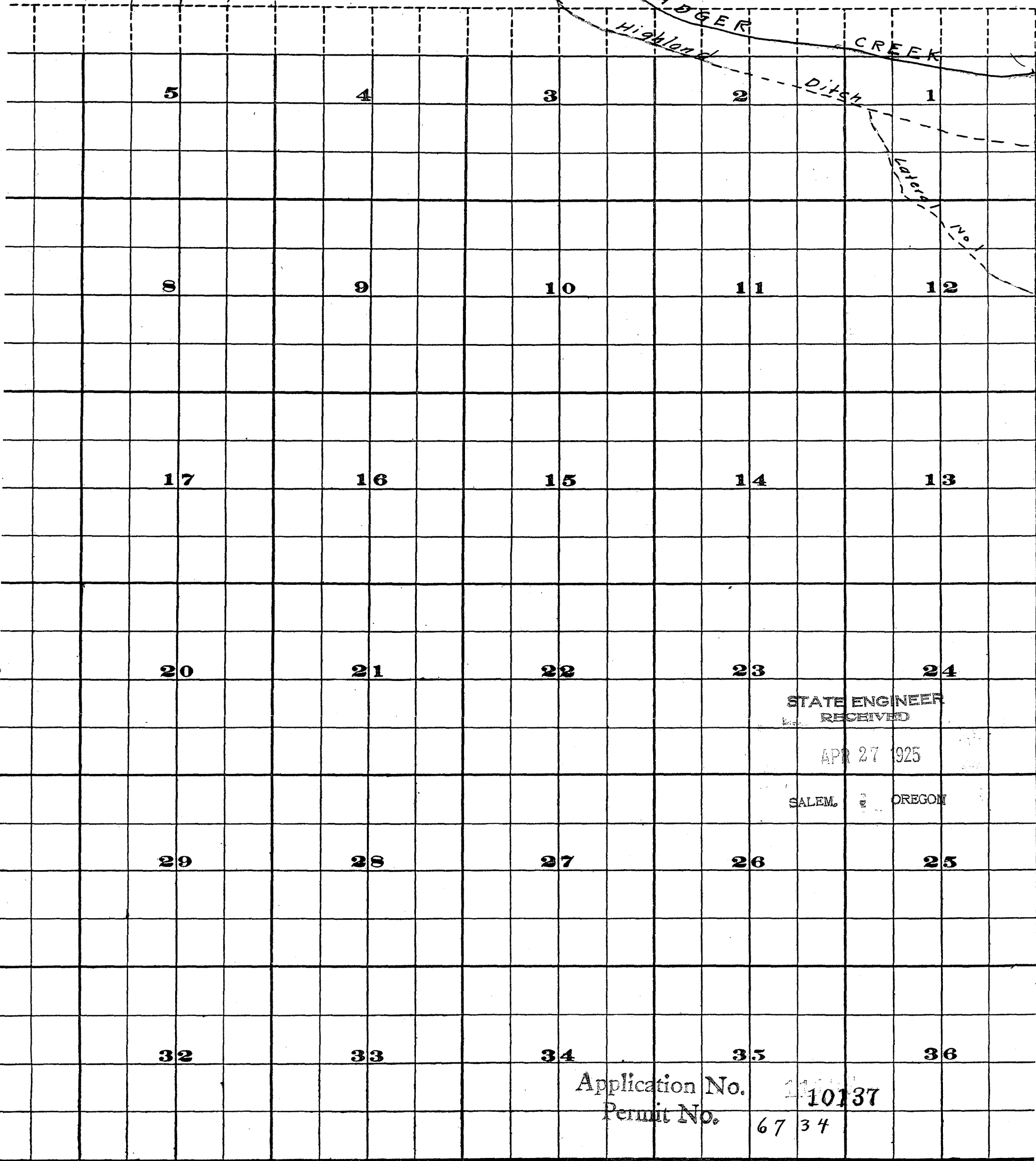
BIG

Range

11 E.

10101

Sec. 32 7. 35 R 11 E



STATE ENGINEER
RECEIVED

APR 27 1925

SALEM, OREGON

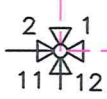
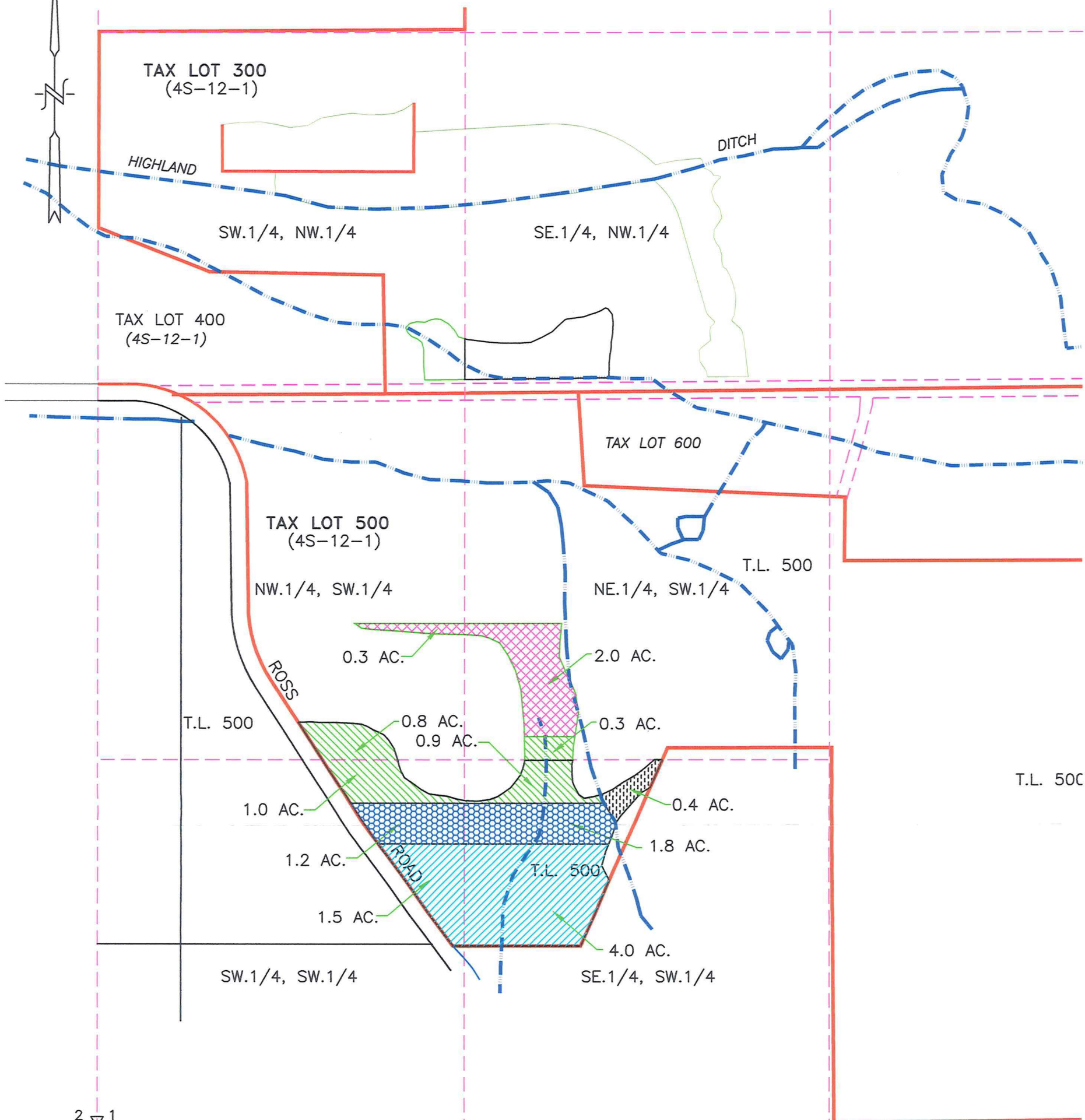
Application No. 110137
Permit No. 6734

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

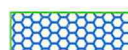




10733

Scale of Feet.

IN W.1/2, SECTION 1, TWP.4 S. RANGE 12 E. W.M.
WASCO COUNTY, OREGON



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WATER RESOURCES DEPT
SALEM, OREGON

WATER RIGHT TRANSFER IN MAP

SCALE: 1" = 400'
SHEET 2 OF 2

APPLICATION No. T-9990

PERMIT No. _____

IN THE NAME OF:
McALLISTER RANCHES

DATE: JUNE 20, 2005



EXPIRES: 06/30/06

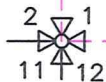
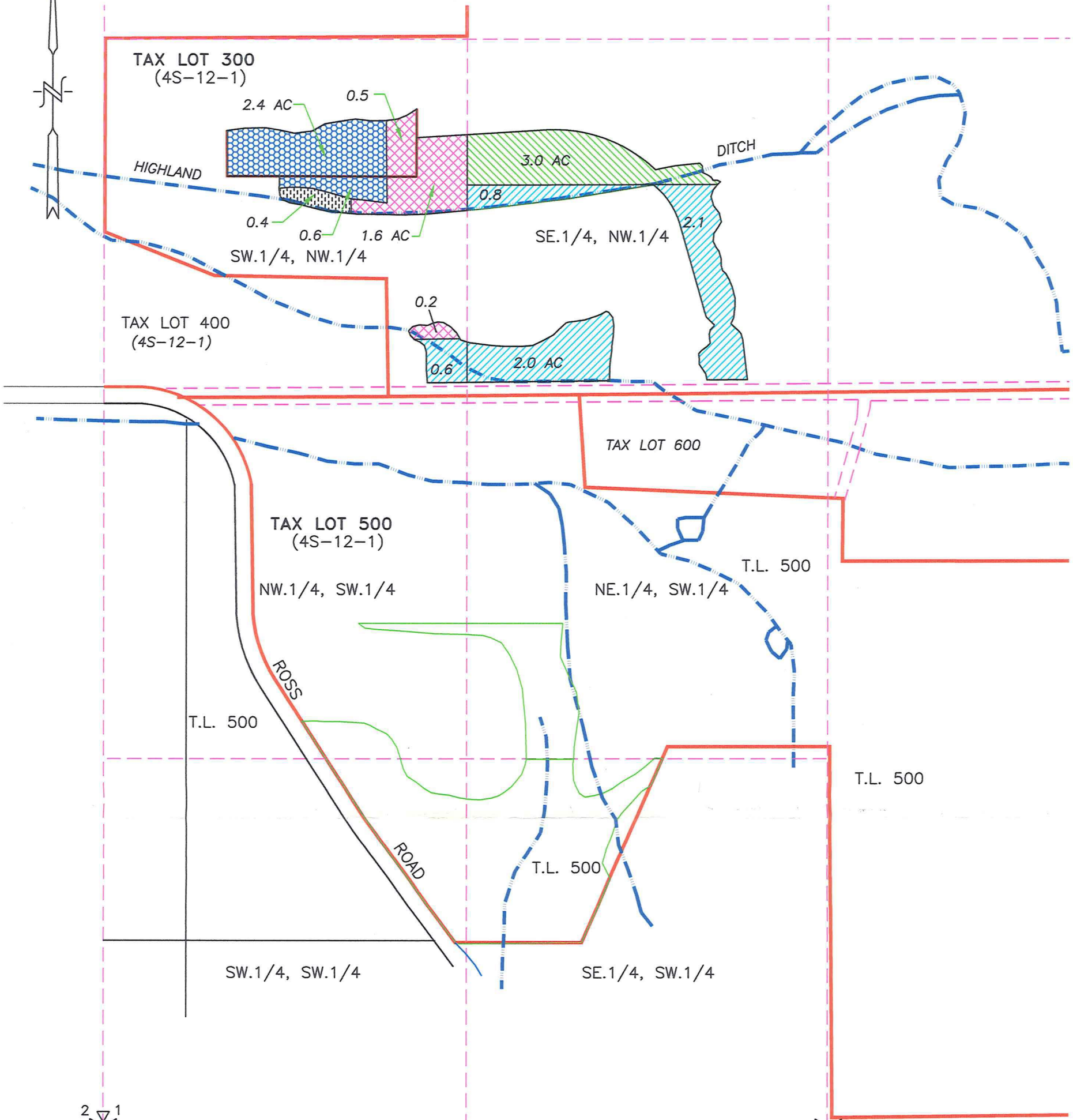
TENNESON ENGINEERING CORP.
CONSULTING ENGINEERS
409 LINCOLN STREET
THE DALLES, OREGON 97058
541-296-9177 FAX 541-296-6657

NOTE:

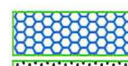




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W.O. #11572wr

IN W.1/2, SECTION 1, TWP.4 S. RANGE 12 E. W.M.
WASCO COUNTY, OREGON



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AUG 05 2005
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SALEM, OREGON

WATER RIGHT TRANSFER OUT MAP

SCALE: 1" = 400'
SHEET 1 OF 2



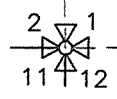
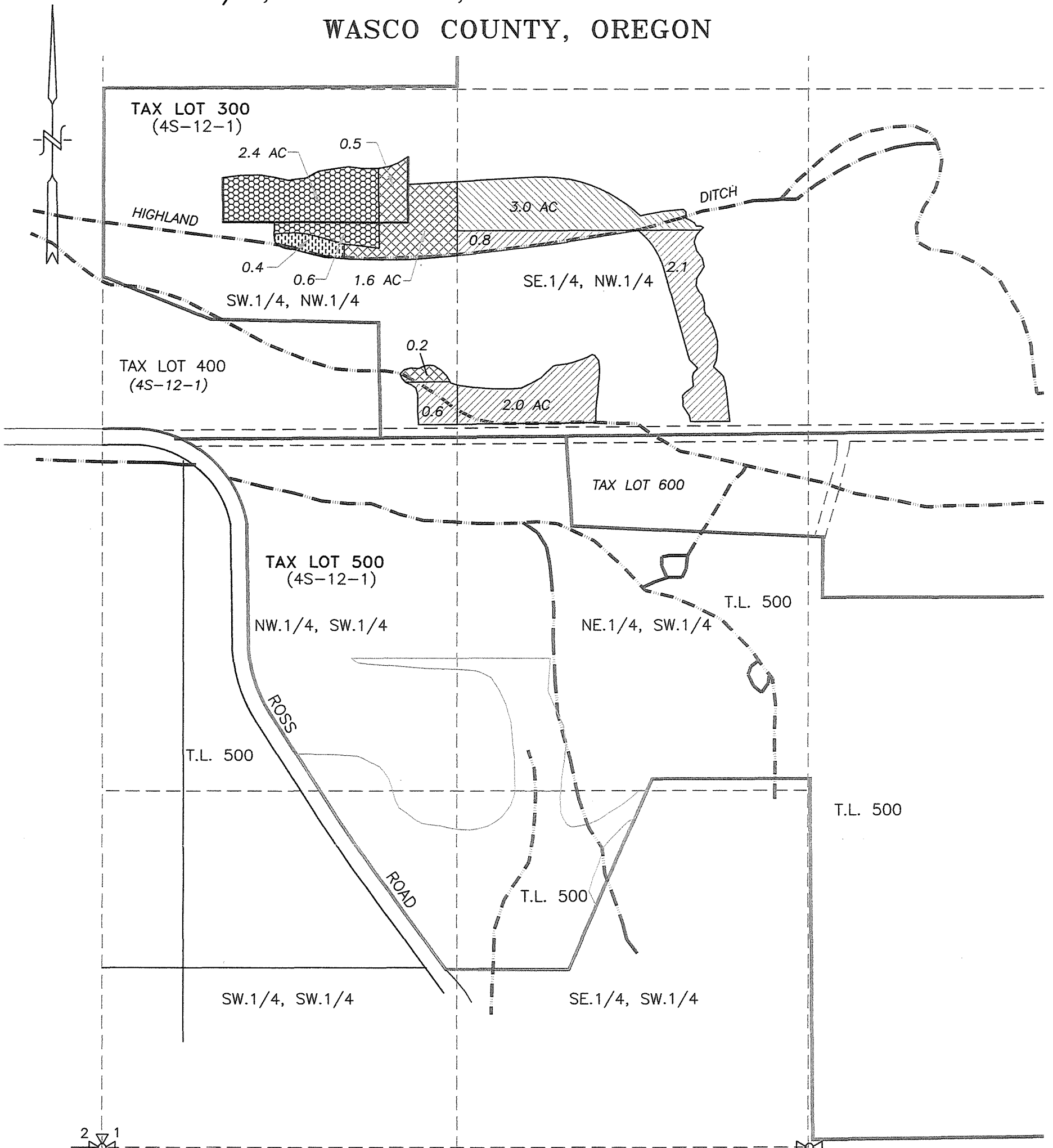
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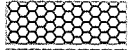


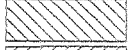
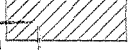
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 WASCO COUNTY, OREGON



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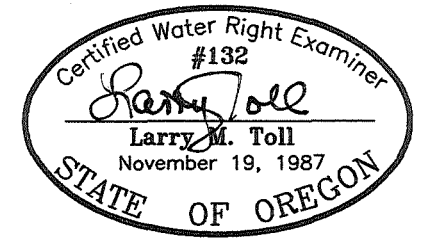
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 SALEM, OREGON

WATER RIGHT TRANSFER OUT MAP

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 SHEET 1 OF 2

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McALLISTER RANCHES
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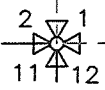
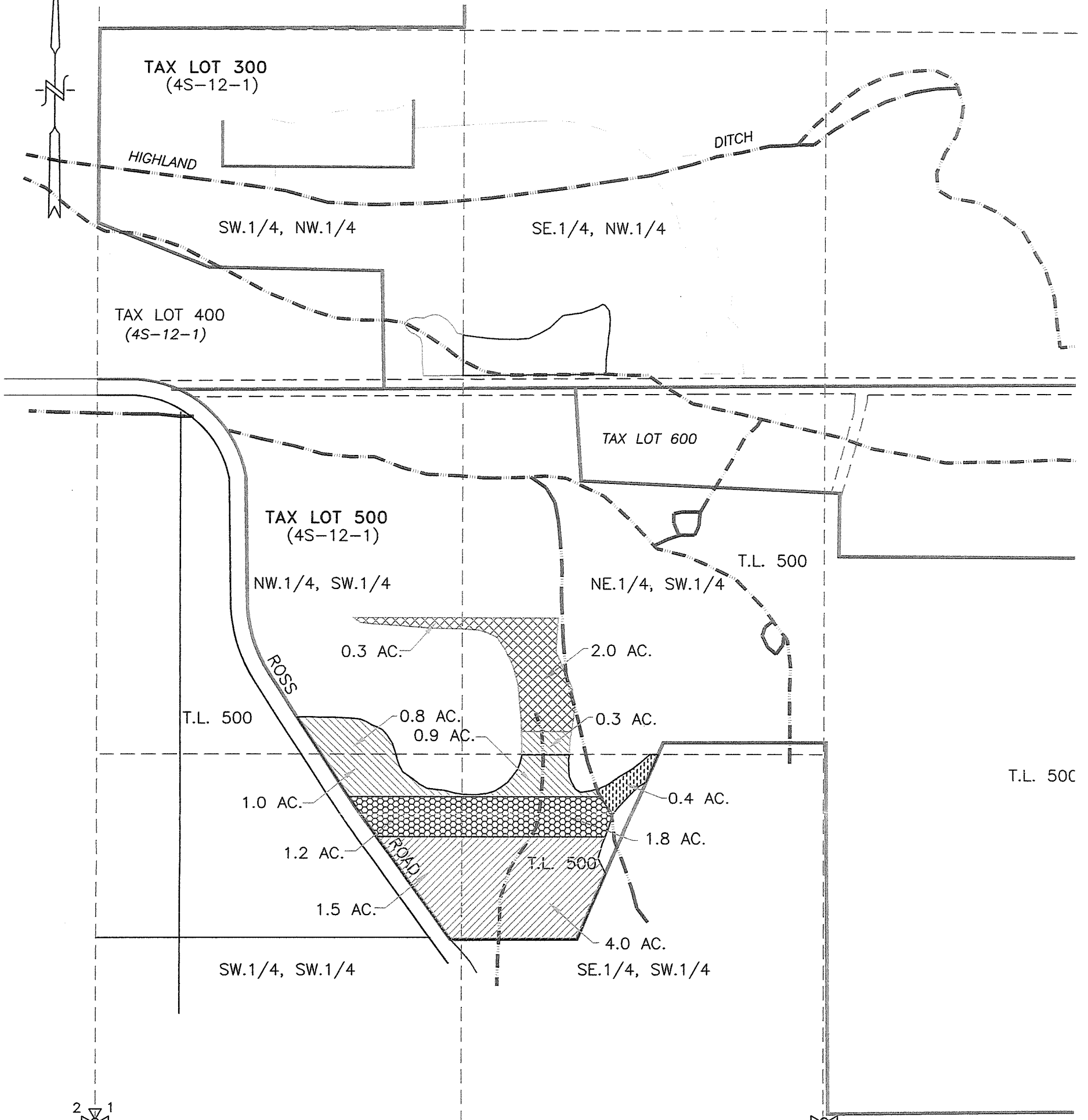
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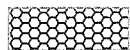


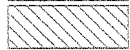
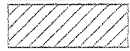
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 W.O. #11572wr

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 WASCO COUNTY, OREGON



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 WATER RESOURCES DEPT
 SALEM, OREGON

WATER RIGHT TRANSFER IN MAP

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 SHEET 2 OF 2



APPLICATION No. T-9990

PERMIT No. _____

IN THE NAME OF:
McALLISTER RANCHES

DATE: JUNE 20, 2005

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



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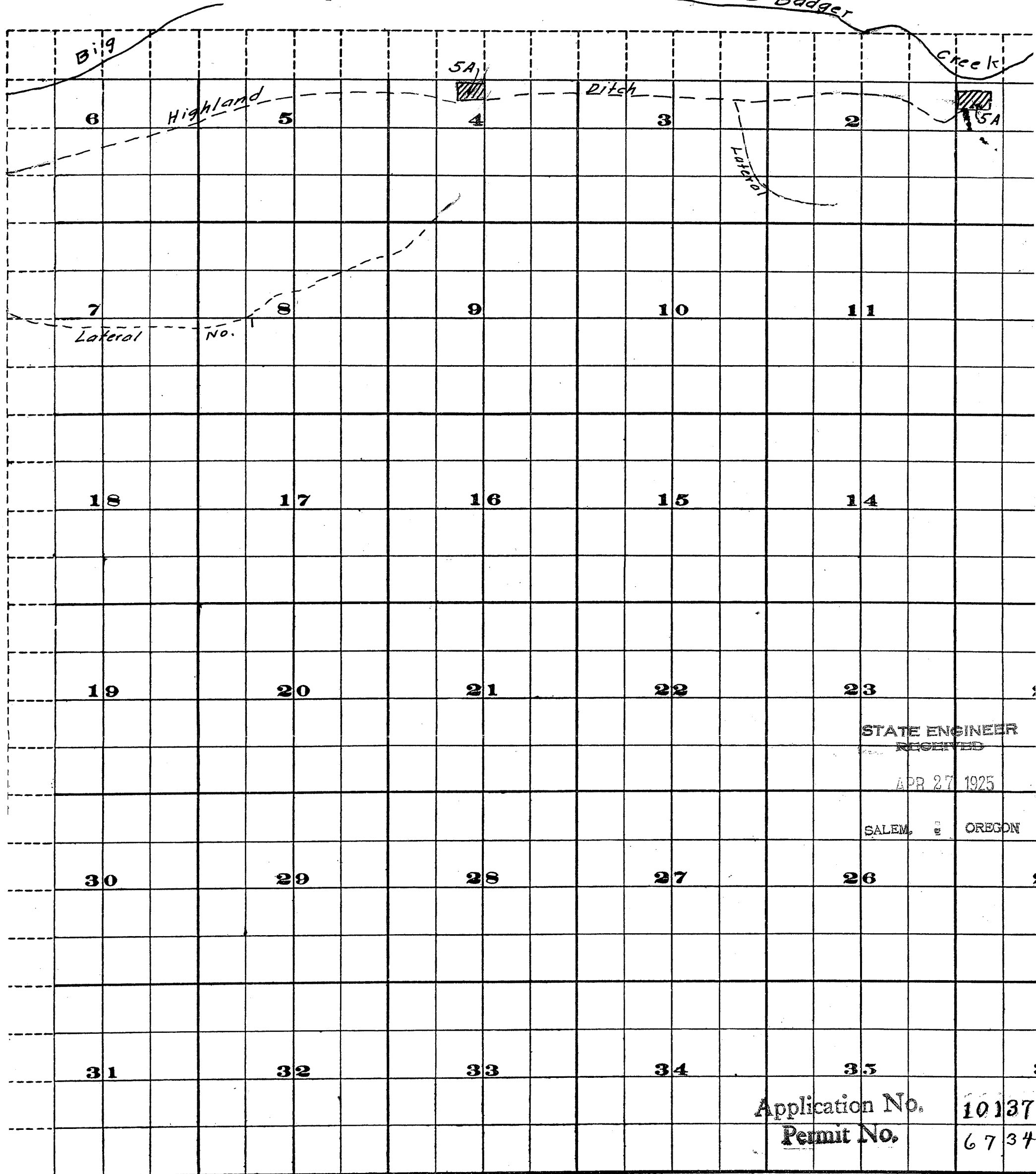
EXPIRES: 06/30/06

W.O. #11572wr

Township 4 S

Range 12 E.

Badger



STATE ENGINEER
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APR 27 1925
SALEM, OREGON

Application No. 10137
Permit No. 6734

FROM OFFICE OF THE STATE ENGINEER

Township

4S

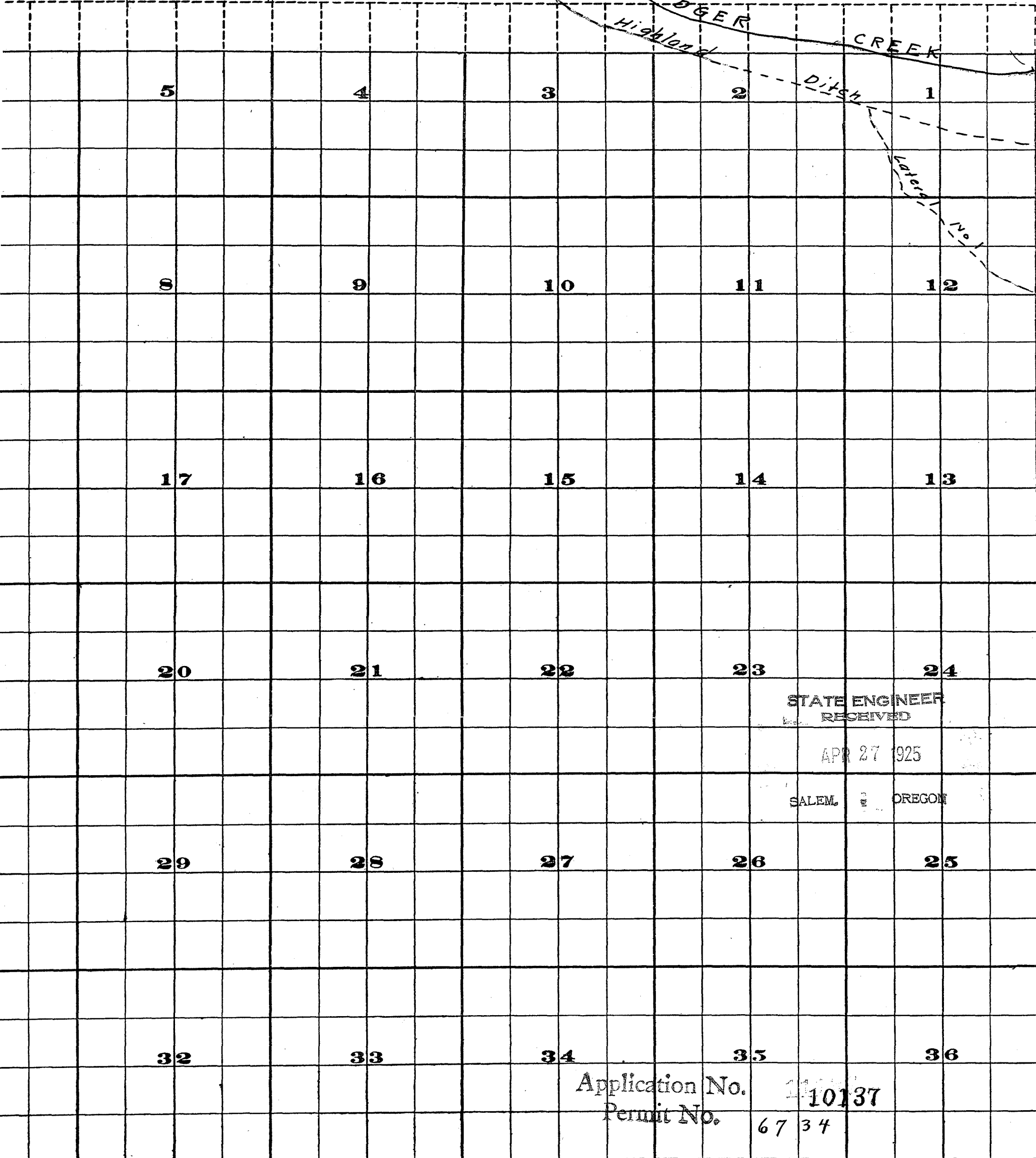
BIG

Range

11E.

10735

Sec. 32 T. 35 R. 11 E



STATE ENGINEER RECEIVED

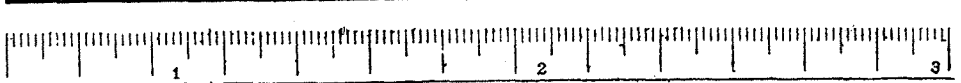
APR 27 1925

SALEM, OREGON

Application No. 10137
 Permit No. 6734

FROM OFFICE OF THE STATE ENGINEER, SALEM, OREGON

10735



Scale of Feet.

Review of "From" and "To" Lots
T-7990

Platcard Report

Township 4S Range 12E Section 1

OCR
Possible Conflict

App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
05/27/1893	5733	White River					3.0 IR				8.5 IR			0.9 IR				0.4 IR		0.9 IR	0.7 IR				
08/08/1914	S2163 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			
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			
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			
10/21/1929	S15165 -		xfr#: T4313																						
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			
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	28.0 IS (s) CN	31.0 IS (s) CN		

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Need "FPS" for C 5733 (White R. Decree)

OK
WFR

Platcard Report

Township 4S Range 12E Section 1

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i	-	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				
i	-	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				
i	-	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				
i	-	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)			
i	R76899 01/01/1993	70808		CN																		
	01/01/1993			CN																		
	01/01/1993			CN																		
i	R76899 01/01/1993	73847					FI					FI					FI	FI	FI			
	01/01/1993						LV					LV					LV	LV	LV			

NCR
Possible
Conflict
11
11

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S 22633: Need FRI for C 26642
 S 27390: Need FRI for C 46368

Platcard Report

Township 4S Range 12E Section 1

					NE				NW				SW				SE					
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
i R76899 01/01/1993	73847						ST					ST						ST	ST	ST		
	01/01/1993						WI					WI						WI	WI	WI		
i R76900 01/01/1993	70809		CN																			
	01/01/1993		CN																			
	01/01/1993		CN																			
i R76900 01/01/1993	73848											FI										
	01/01/1993											LV										
	01/01/1993											ST										
	01/01/1993											WI										
i 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		

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Platcard Report

Township 4S Range 12E Section 1

					NE				NW				SW				SE						
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	
① S10137 04/27/1925	S6734 7221		xfr#: T9990								5.0 IR												
① S13088 10/21/1929	S15165 20243		CN xfr#: O50				15.0 I* CN				8.6 I* CN	15.0 I* CN							20.0 I* CN	30.0 I* CN			
			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			
① S13088 10/21/1929	S15165 20243		CN see transfers				15.0 I* CN				8.6 I* CN	15.0 I* CN							20.0 I* CN	30.0 I* CN			
			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			
① 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				
① S19269 04/09/1941	S14866 20279		CN				8.7 IR CN																
① S21644 05/13/1946	S17901 24467																		DO				
											DS												
																				LV			

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Platcard Report

Township 4S Range 12E Section 1

					NE				NW				SW				SE						
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	
i S33049 04/21/1959	S26140 27590												DO										
	04/21/1959										LV					LV							
i 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				0.05 IS (s) CN	0.45 IS (s) CN	0.3 IS (s) CN	0.2 IS (s) CN			
i S41445 09/30/1965	S30951 39098					1.9 IR		5.3 IR	12.2 IR														
i S45212 07/23/1968	S33228 51486		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)			
i 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)			

UCR
Possible Conflict
u

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Need FPS maps for C 51486 and C 51487

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To: frb Page 1 of 1
 From: GBL Date: 6/6/06
 Project: McAllister T-9990
 Subject: "From" Lands Review

Per S-6734: Map provided seems to show "From" area is covered.

Per S-15165: No Map provided - Need FPS for C 20243

Per S-2163: Map provided does not correspond with Certificate 80637
Need FPS Map for C 5385 and/or T-5606

Per S-22633: Map provided does not correspond with cert. 76222. Need FPS for C 26642

Per S-27390: Maps provided do not correspond to Certificate 76223.
Need FPS for C 46368

Per S-33228 Map provided does not correspond to Cert 51486.
Need FPS for C 51486

Per S-39616 Map provided doesn't include Sec 1. Need FPS map for C 51487

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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
Date: 6/9/06
From: 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. Hopefully 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.

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- Public Information

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WATER RESOURCES DEPT.
SALEM, OREGON

Dorothy Pedersen

From: Greg Kupillas [phggek@bctonline.com]
Sent: Thursday, June 08, 2006 10:34 AM
To: 'Dorothy Pedersen'
Subject: McAllister Transfers

T48 R12E Sec 1
T45 R13E Sec 7
" " Sec 8

->

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 80837" 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 which also affect certificate(s) _____. Upon issuance of a final order for these transfers, new 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 potential conflicts with the "To" lands which I cannot check because I do not have adequate FPS maps and most 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 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 *Cannot find S-13058 (E-11-3)*
- ✓ T-5606 for Permit S-2163 *S-19264*
- ✓ C26642 for Permit S-22633
- ~~C46868 for Permit S-27390~~ *Already sent*
- ✓ C51486 for Permit S-33228 *S-43459 ✓*
- C51487 for Permit S-39616 *- S-53066 (E-11-3) 1/5/211 map Pro*

✓ White R. decree
Transfers 050 NA
D-136 ✓

P-59 NA
D-137 ✓

T-4800 NA

T-8080 - Ken has in Pendleton

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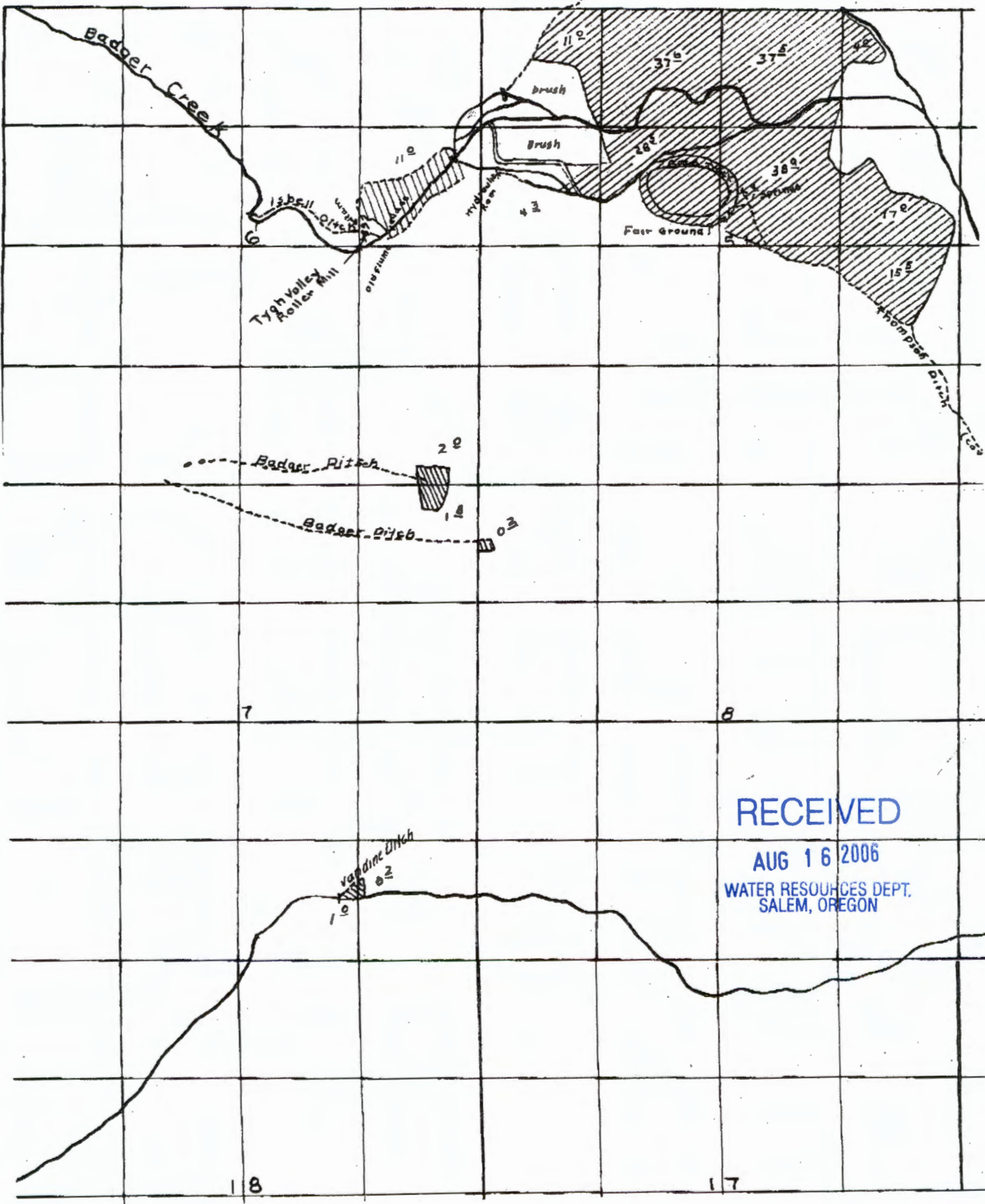
cannot find

S-43459

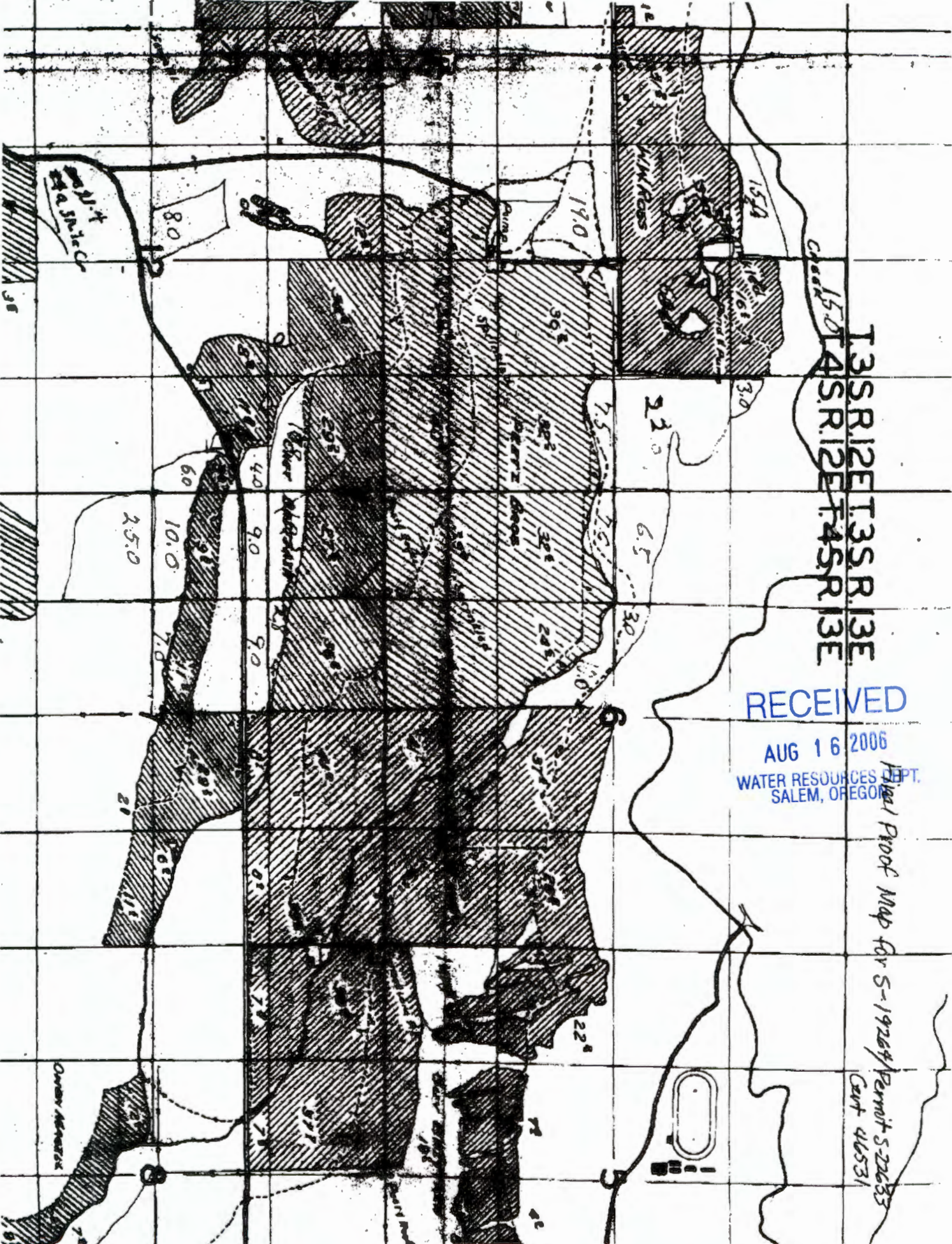
6/8/2006

from White River Decree map
T45 R13E

To,



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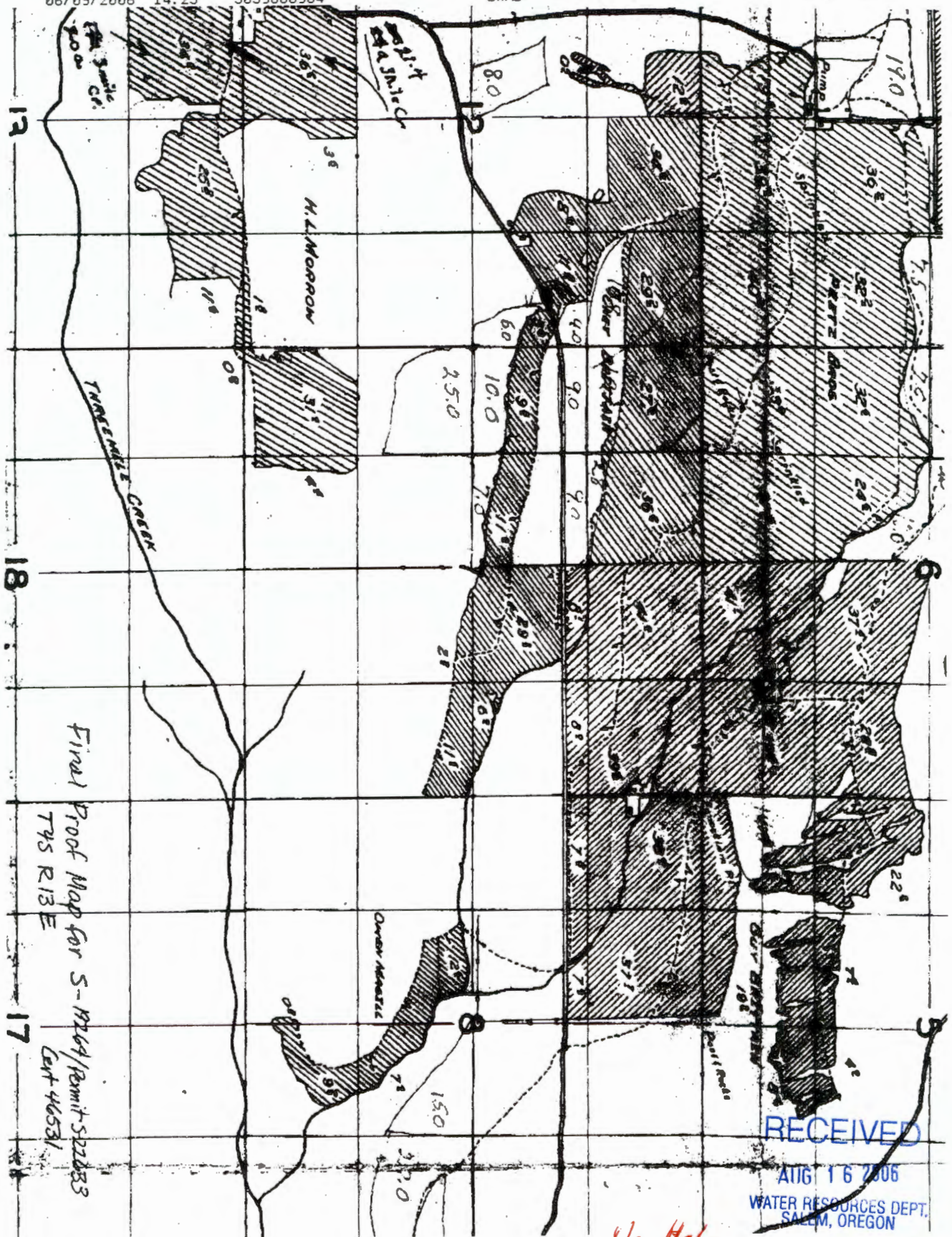
T3SRIZET3SRIZE
 T4SRIZET4SRIZE
 T3SRIZE
 T4SRIZE

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Final Proof Map for S-19224/Permit S-22633
 Cont 46531

No Help



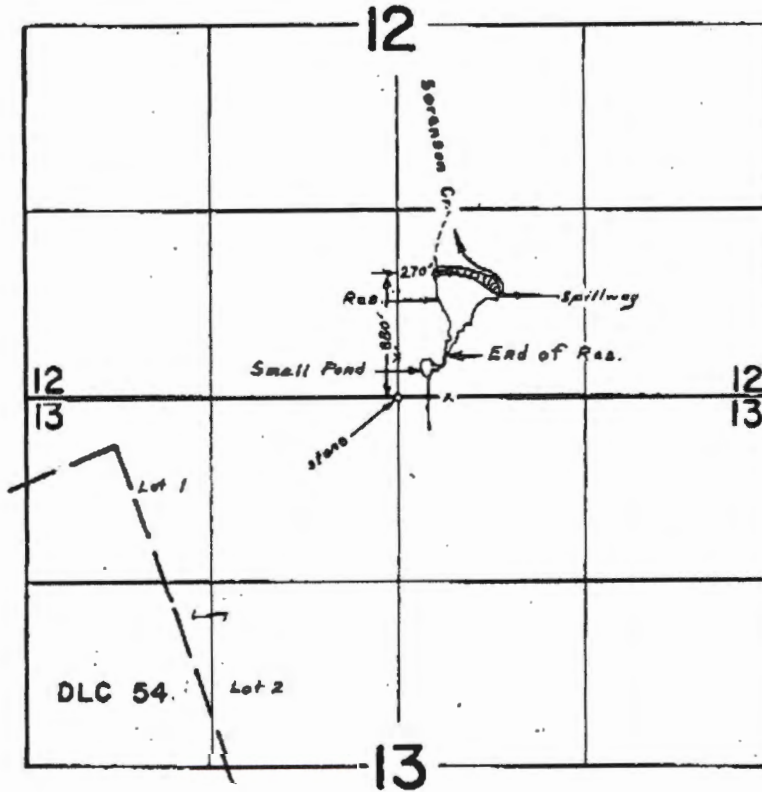
Final Proof Map for S-19264/Permit S22283
 T95 R13E
 Cont 46531

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No Help

No help

T.5S.R.2E.W.M.



FINAL PROOF SURVEY UNDER

R-43441 R-5263
 Application No. 43459 Permit No. 33288
 IN NAME OF

WILLARD G. DEARDORFF

Surveyed Nov. 19 1969, by L. E. Gould

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 SALEM, OREGON

61c

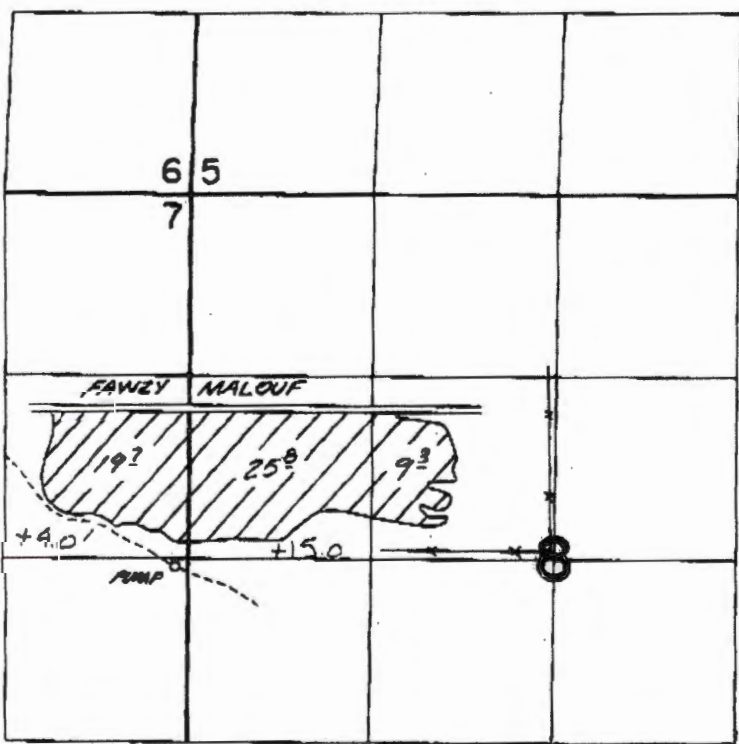
Final Proof map for

D-136 + D-137

App 5-19264, Permit 22633 ~~etc~~

App 5-13088, Permit 15165

T.4S. R.13E. W.M.



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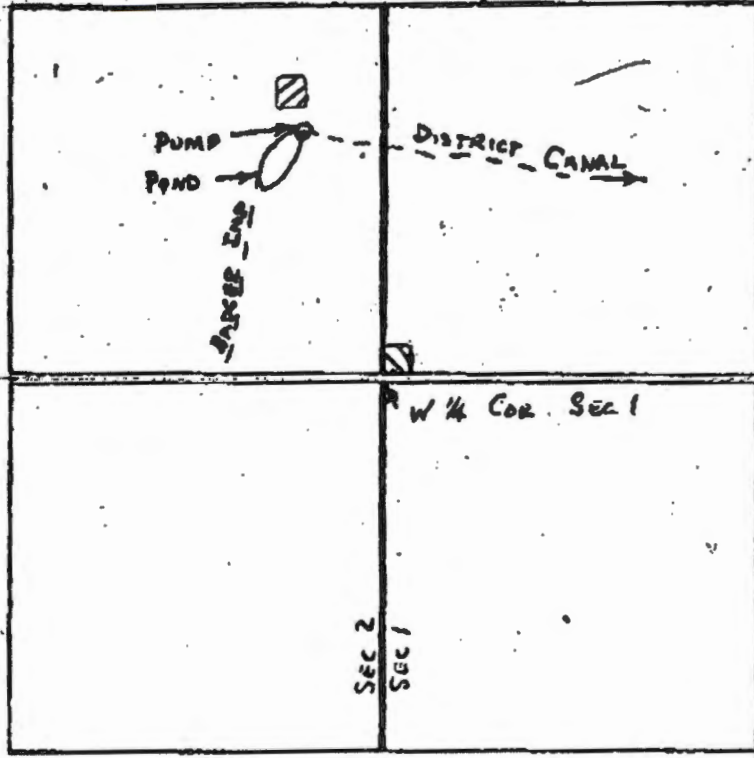
T-5606

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MAR 18 1985

WATER RESOURCES DEPT
SALEM, OREGON

Sec - 2-45-12E Sec 1 T45 R12E



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APR 1 1985

WATER RESOURCES DEF
SALEM, OREGON

SCALE 8" = 1 MILE



FROM

TO

Application map for T-5606

App 5-3843 / Permit 2163

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AUG 16 2006

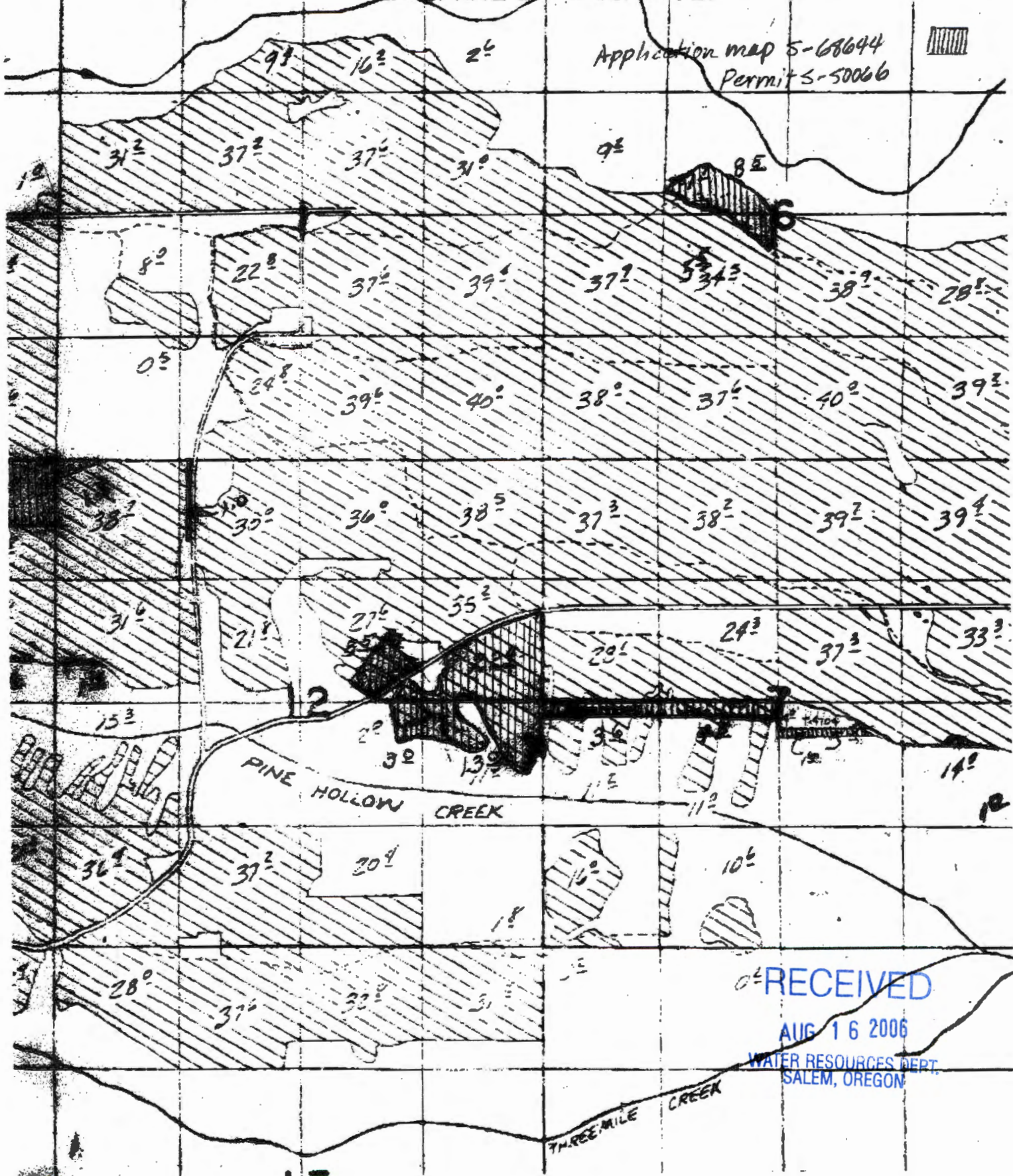
WATER RESOURCES DEPT.
SALEM, OREGON

Shows transfer affecting
Permit 2163

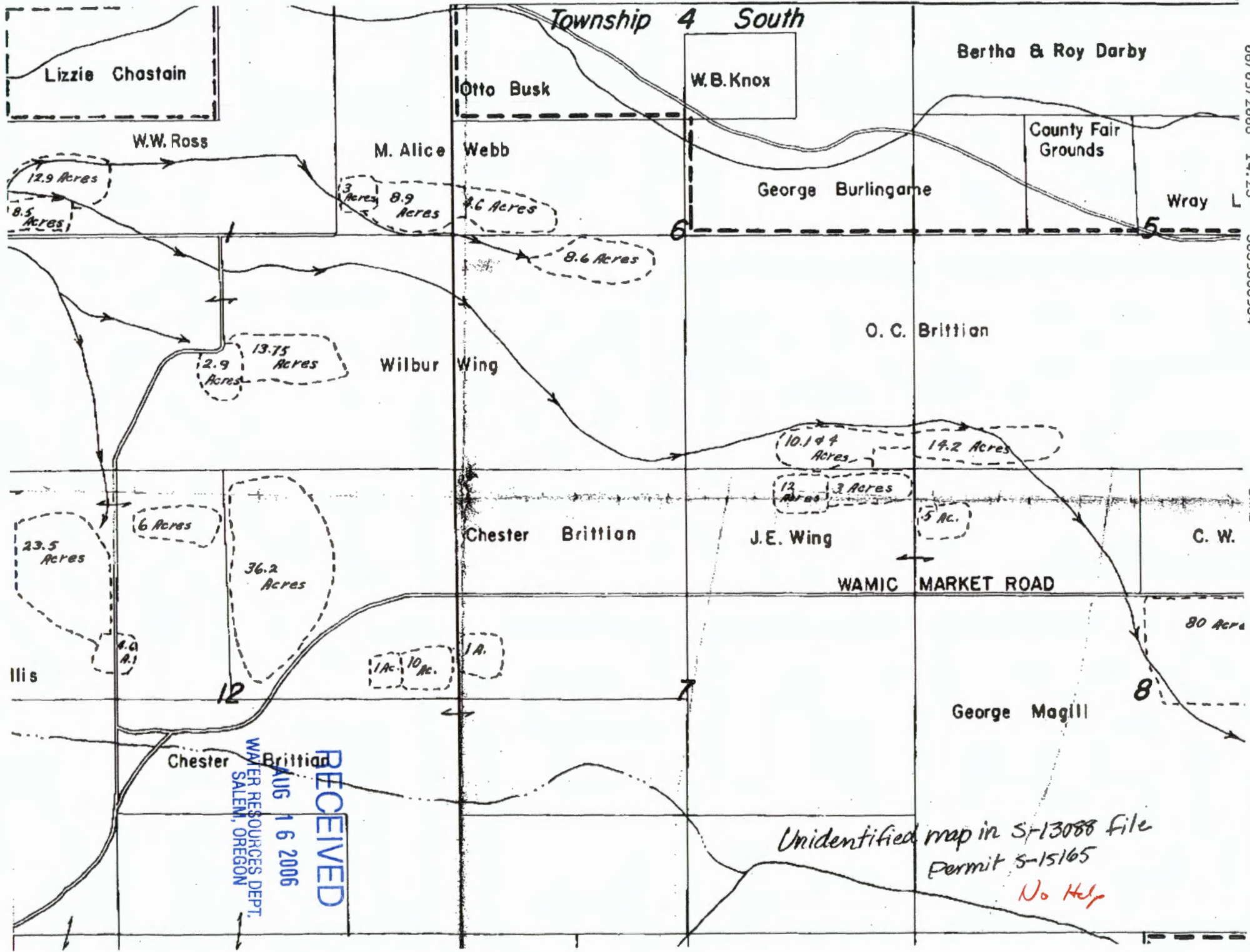
Not Relevant

T.3S. R.12E. T.3S. R.13E.
T.4S. R.12E. T.4S. R.13E.

Application map 5-68644
Permit 5-50066



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Township 4 South

Lizzie Chastain

Otto Busk

W.B. Knox

Bertha & Roy Darby

W.W. Ross

M. Alice Webb

George Burlingame

County Fair Grounds

Wray

12.9 Acres

8.5 Acres

3 Acres

8.9 Acres

4.6 Acres

8.6 Acres

2.9 Acres

13.75 Acres

Wilbur Wing

O. C. Britton

10.144 Acres

19.2 Acres

23.5 Acres

6 Acres

36.2 Acres

Chester Britton

J.E. Wing

12 Acres

3 Acres

5 Ac.

C. W.

WAMIC MARKET ROAD

80 Acres

Iris

4.4 A.

12

1 Ac. 10 Ac.

1 A.

7

George Magill

8

Chester Britton

WATER RESOURCES DEPT.
SALEM, OREGON

AUG 16 2006

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Unidentified map in S-13088 file
Permit S-15165
No Help

TOWNSHIP 3 SOUTH
TOWNSHIP 4 SOUTH

Map preparatory to
Final Proof Survey Map
App 5-13088/Permit 15165

Creek

W.W. Ross
8th Ac. 1929
5th Ac. 1925
11.5th Ac. 1929
15th Ac. 1929
15th Ac. 1929
15th Ac. 1929
3rd Ac.
3rd Ac.

Waco County
Fair Grounds

5th Ac. 1914
5.35th Ac. 1929
3rd Ac.

Petz Brothers

10th Ac. 1929
10th Ac. 1929
10th Ac. 1929
10th Ac. 1929

GUY

Brittain
11.2
10th Ac. 1914
10th Ac. 1929
4th Ac. 1932
8th Ac. 1914
2nd Ac. 1898

See letter 7/28/59
authorizing
corrections

20th Ac. 1929
8th Ac. 1914
28th Ac. 1929
30th Ac. 1929
1.2nd Ac. 1914
31st Ac. 1929
3rd Ac.

10th Ac. 1929
20th Ac. 1929
5th Ac.
4th Ac. 1932
8th Ac. 1914
2nd Ac. 1898

3.0th Ac. 1929
3rd Ac.

8th Ac. 1914
4th Ac. 1929
Tahoffey and Alta Mahaffey

26th Ac. 1929
2.8th Ac. 1929
3rd Ac.

14th Ac. 1929
9th Ac. 1929
3rd Ac.

10th Ac. 1929
20th Ac. 1929
20th Ac. 1929
3rd Ac.

5th Ac. 1914
6th Ac. 1929
3rd Ac.

19th Ac. 1929
15th Ac. 1929
3rd Ac.

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See letter 7/28/59
authorizing
corrections

10th Ac. 1929
10th Ac. 1929
Chester
7th Ac. 1929
3rd Ac.

Brittain

Pine

Hollow

Yagill

M.L. + Alta Morrow

2nd Ac. 1930
2nd Ac. 1917
10th Ac. 1929
3rd Ac.

M.L. + Alta Morrow

George and Owen Magill

Acres seem to match
Cent but exact areas not shown

Unidentified notes from Permit S-15165

No Help file

Township 45

Range 12E

R12E

52						152
34.0 25.8 S R.D.S-P17901	27.3' C 5385' 1.0' C 5733' 28.3 P15165			7.9' C 5385' 8.5' C 5733' 50' C 7221' 8.6 11.52 S	15.0 15.5 25R	20.0 P15165 15.0 15.0 S 20.0
	8.4' C 5385' 8.4 P15165 42	R.D.S-P17901	13.1' C 5385' 9.0 P15165 16.9 20.76 S		0.9' C 5733' 0.9 P15165	5.7' C 5385' 0.9' C 5733' 0.9 P15165 5.35 S 2.46 R.D.S-P17901
36' C 5385' 12.5 P15165 16.0	17.7 14.14 S		300		0.4' C 5733' 15.7 P15165 14.0	8.0' C 5385' 0.7' C 5733' 17.3 P15165 20.0 28.0 S
4.2' C 5385' 6.2' C 5733' 4.2 P15165 11.2	7.9' C 5385' 4.8' C 5764' 10.0' C 11108 26.7 P15165 10.0 17.0 S	16' C 5385' 50' C 11108 H P15165 18.0	14.2	18.0' C 5385' 14.0 P15165 56' C 11579 14.96 S	6.0' C 9529' 6.0 P15165 5.0	13.0' C 5385' 13.0 P15165 30.0
3.0' C 5764			2.8' C 5764 30.0	5.5' C 5385' 1.8' C 5733' 7.3 P15165 17.0' C 11579 1.8' C 1175 6.0	2.8' C 5733' 2.8 P15165 2.8' C 11579 2.8' C 1175 6.0	4.2' C 5385' 5.8' C 5764 14.0' C 7865 20.0 P15165 15.1 S
10.1' C 5385' 13.5' C 5764 10.0' C 9508 15.0' P15165 12.0 S	0.25' C 5764 28.0' C 12335	77.0' C 12335	20.0' C 11710	20.0' C 11710		7.5' C 9017' 1.0' C 5733' 14.5 P15165 11.2 R.D.S-P17901
7.5' C 5385' 9.5 P15165 3.0 S	4.6' C 5764 6.0	4.85' C 5764 5.0	2.8' C 5764 10.0' C 11710	2.8' C 5764 15.0' C 720 15.0' C 11710	3.4' C 5764 8.0' C 729 5.0 P15165 5.0	5.0 P15165
2.0' C 5772 2.0' C 5750 1.0' C 5759	11.0' C 5772 0.5' C 8504 20.0' C 2306	10' C 5772 10.0' C 7372 4.5' C 8504		25.0' C 7205 20.0' C 869 5.0 P15165 4.0 4.0 S		12.0 8.0 S 4.5

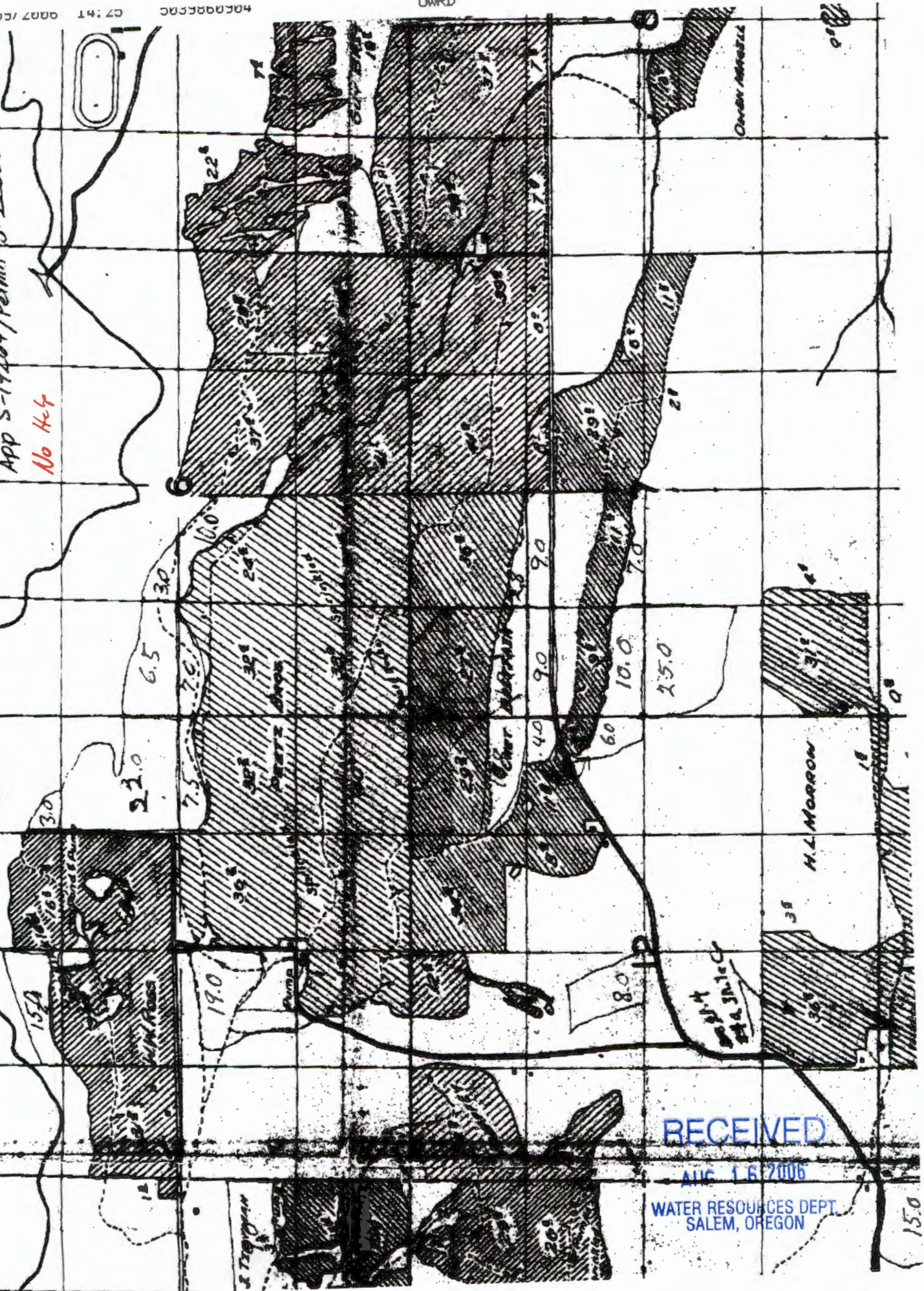
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0035999590 C7:41 0007 /CN /00

UNAD

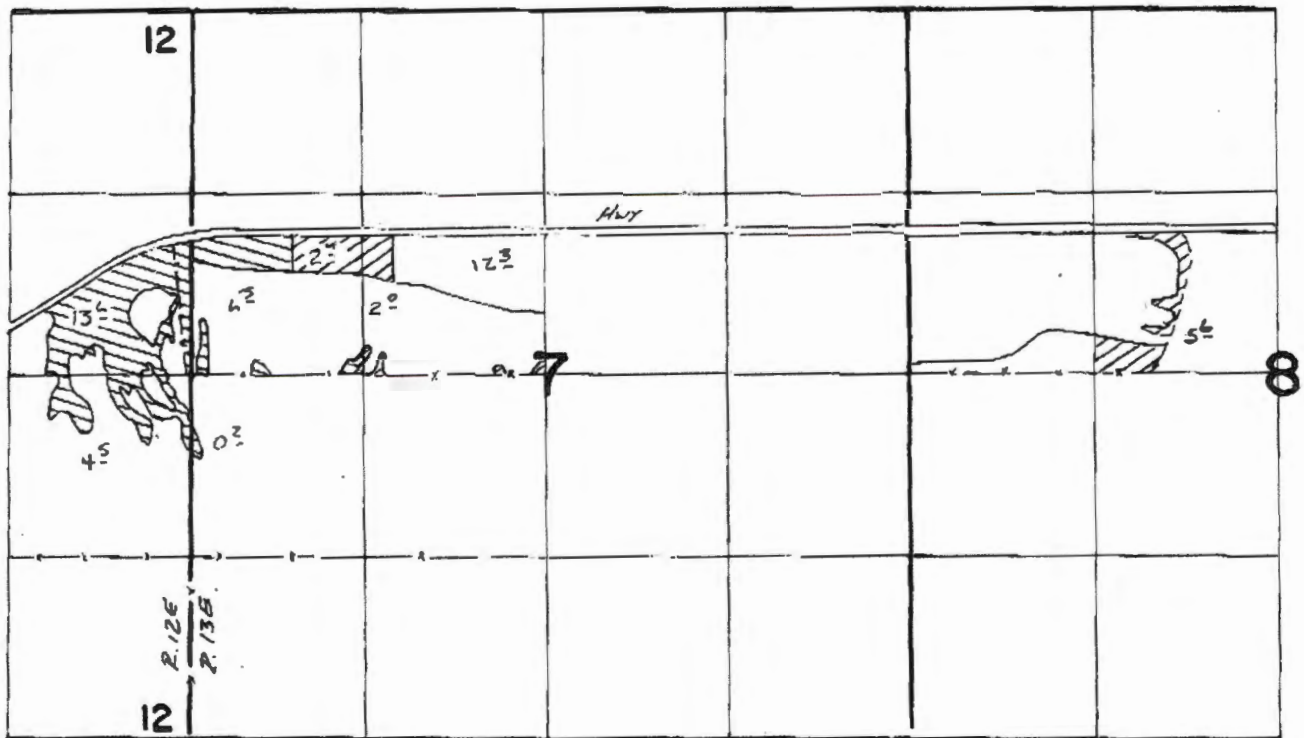
Final Proof map for
App S-19264/Permit S-22633
No H-4


5.0
14 S. R. 12 E T. 4 S. R. 13 E



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T. 4S., R. 12 & 13E., W. M.



 T-4704

 T-4957

FINAL PROOF SURVEY UNDER

TRANSFERS 4704, 4957
IN NAME OF

.....Wm. R. McALLISTER.....

Surveyed 10-19..... 1988, by V.L. Church.....



SCALE 1" = 1320

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WATER RESOURCES DEPT.
SALEM, OREGON

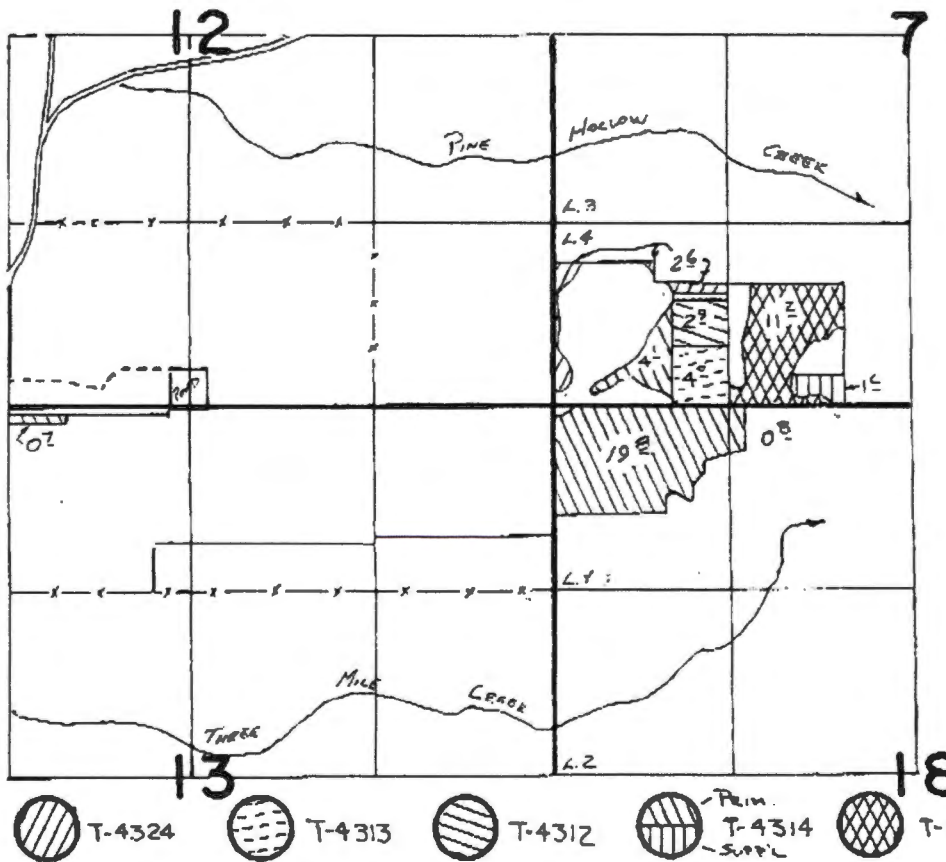
SP ORDER V P.

41065-470-86

1-7-87 VLL

Helps for T-10016

T. 4S., R. 12 & 13E., W. M.



SCALE 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFERS 4324, 4313, 4312, 4314, 5553
IN NAME OF

RAY A. BENZEL

Surveyed 10-18 1988, by V.L. Church

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AUG 16 2006

WATER RESOURCES DEPT.
SALEM, OREGON

No Help

Application for Transfer

T-4957

Wm. R. McAllister
Rt 1 Box 46
Tygh Valley, Ore 97063

RECEIVED

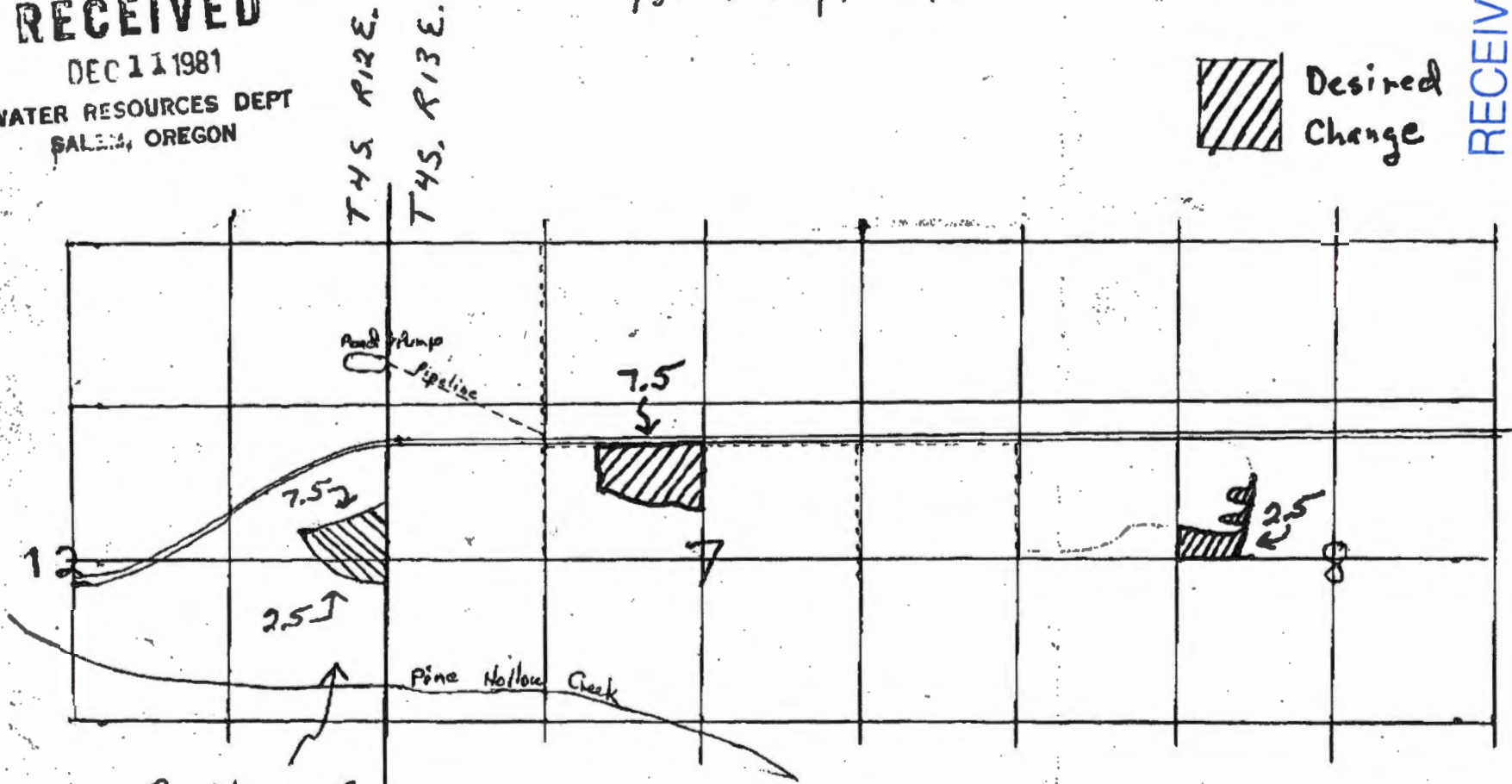
DEC 11 1981
WATER RESOURCES DEPT
SALEM, OREGON

 Current Permit

 Desired Change

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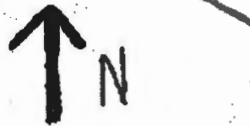
AUG 16 2006
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SALEM, OREGON



Permit 9708
Cont. 9017

RECEIVED

DEC 28 1981
WATER RESOURCES DEPT
SALEM, OREGON



No Help

T-4957 Application map

do w/ T-4967

179-2208

REPORT ON INSPECTION UNDER TRANSFER OF WATER RIGHT FOR CHANGE IN:

POD
POD
USE
Add'l POD

41265-472-86
10-19-88 K. Thompson

Transfer No. 4704 County Wasco

Old Certificate No. 46368

1. Name Wm. R. Mc Allister

Address RT 1, Box 46, Tygh Valley, OR 97063

2. Source of Supply Badger Cr Lake, Trib of _____

3. Use in / ~~24.8~~

4. Amount of Water 0.26 cfs

5. Priority Date 3-22-1961

6. Proposed Point of Diversion Highland Ditch

7. Completion Date 10-1-82

8. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
45	12E	12	NE SE SE NE	4.5 13.6 ac
	13E	7	NW SW SW NW	0.2 6.5

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Leroy Horton
Investigator

Info: Wm. R. McAllister
- Same address -

Spoke w/ the Ray Horton who manages their ^{he} ~~water~~ explained system & areas of use.

POW: Surplus ditch H₂O collects into a pond & then is flooded onto new place of use.

Use: Pasture

~~LAH~~

Tie: 41065-472-86

10-9-88

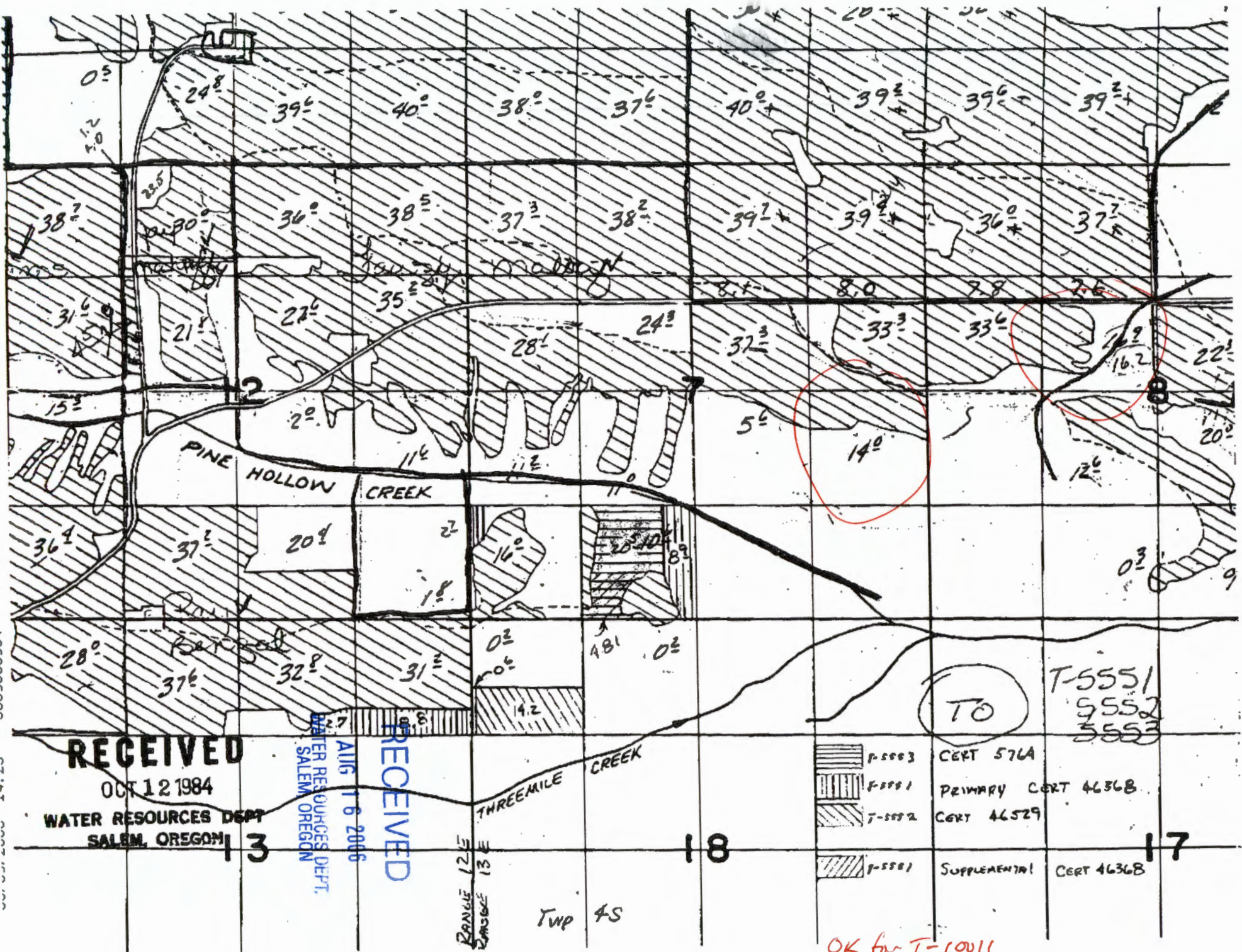
D. Thompson *[Signature]*

Note: The surplus is from the land north of the road. Some of the land in Sec 7 is not irrigated.

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



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	F-5503	CERT 576A
	F-5501	PRIMARY CERT 4636B
	F-5502	CERT 46529
	F-5501	SUPPLEMENTAL CERT 4636B

TO
 T-5551
 5552
 5553

OK for T-10016

71
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3

18

17

RANGE 12E
 RANGE 13E

TWP 4S

Greg Kupillas

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrd.state.or.us]
Sent: Monday, June 12, 2006 11:47 AM
To: phgge@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 been 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

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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 decipher the mess to some degree.

So, in other words, I do not have copies of maps for these areas under Certificate 76223.

6/12/2006

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@wrд.state.or.us]
Sent: Thursday, June 08, 2006 10:19 AM
To: 'Ken Dowden'
Cc: phggeek@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?

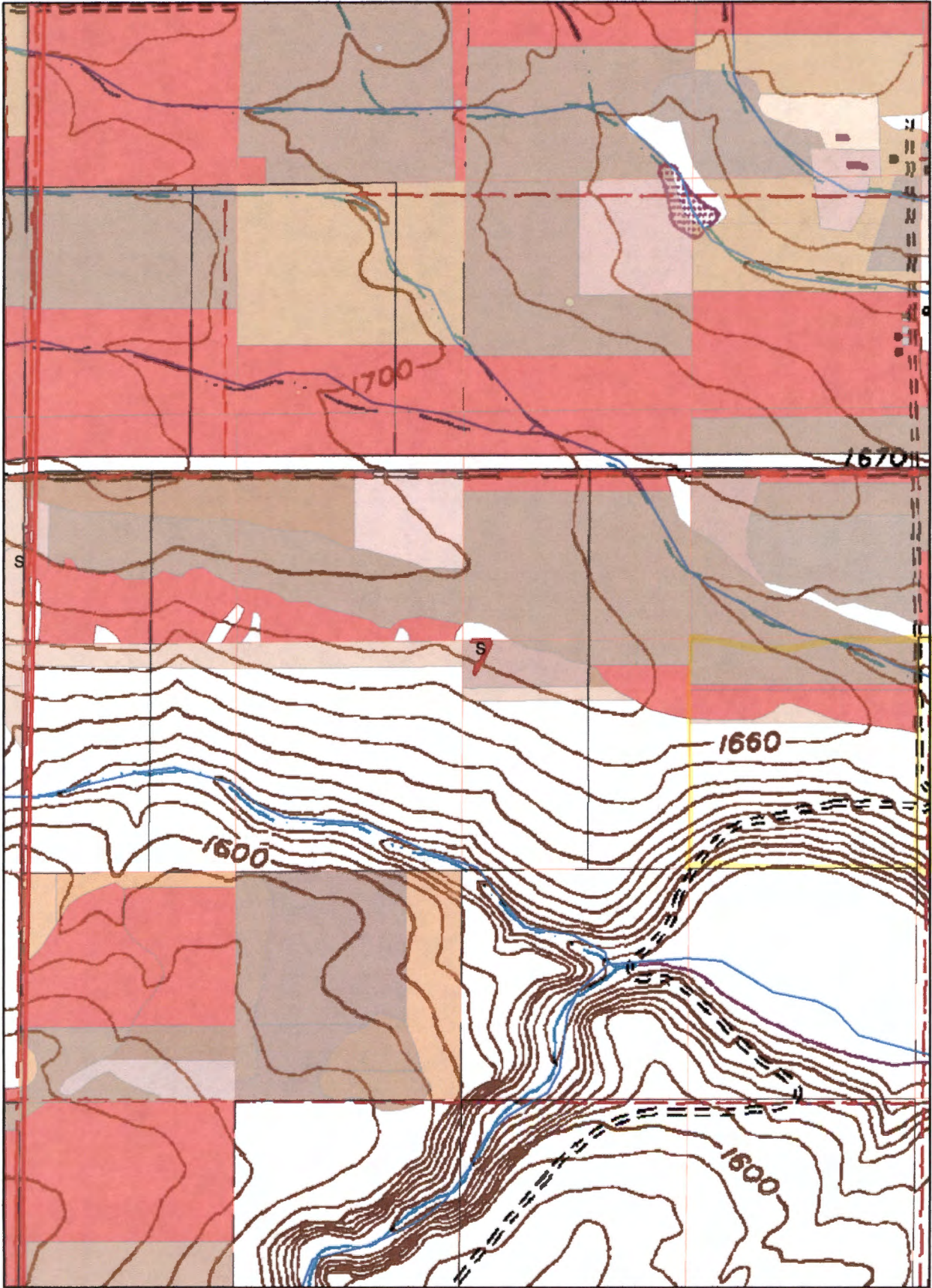
SE NW, Sec. 8, T4S, R13E is shown on the map to have 16.2 acres, but Certificate 76223 lists only 3.6 acres. Do you have maps that show where the 3.6 acres are located?

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@wrд.state.or.us

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T4S R13E Sec 7



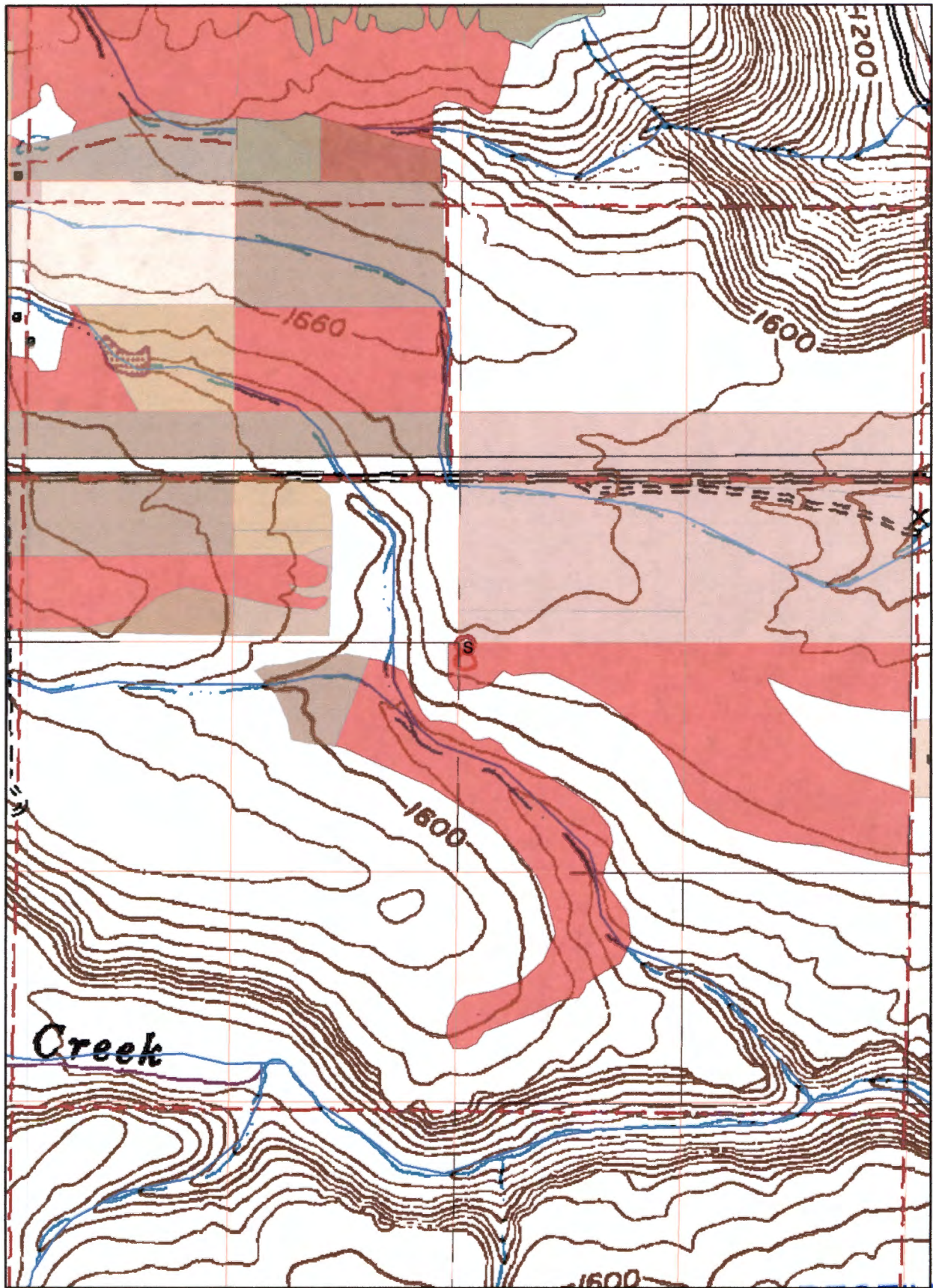
Red shading shows the POU for C-46368, which preceded C-76223.

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T4S R13E Sec 8



Red shading shows the POU for C-46368, which preceded C-76223.

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Greg Kupillas

From: Bob Wood [Robert.L.WOOD@wrd.state.or.us]
Sent: Monday, June 26, 2006 9:14 AM
To: phggeek@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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6/26/2006

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@wrdd.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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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: phggeek@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,

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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
=====

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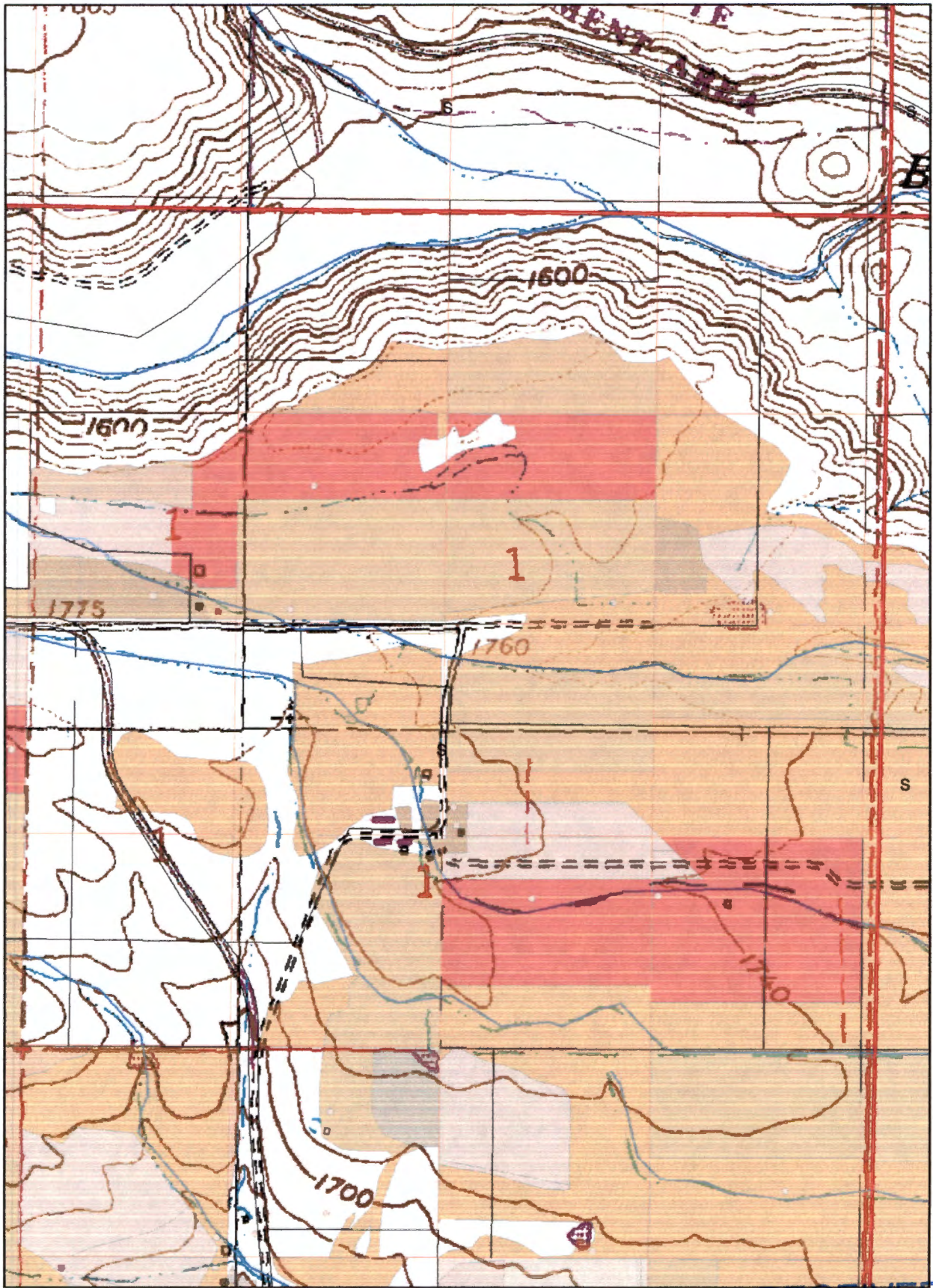
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T4S R12E Sec 1 POU certificate 46532

Permit
S-15165

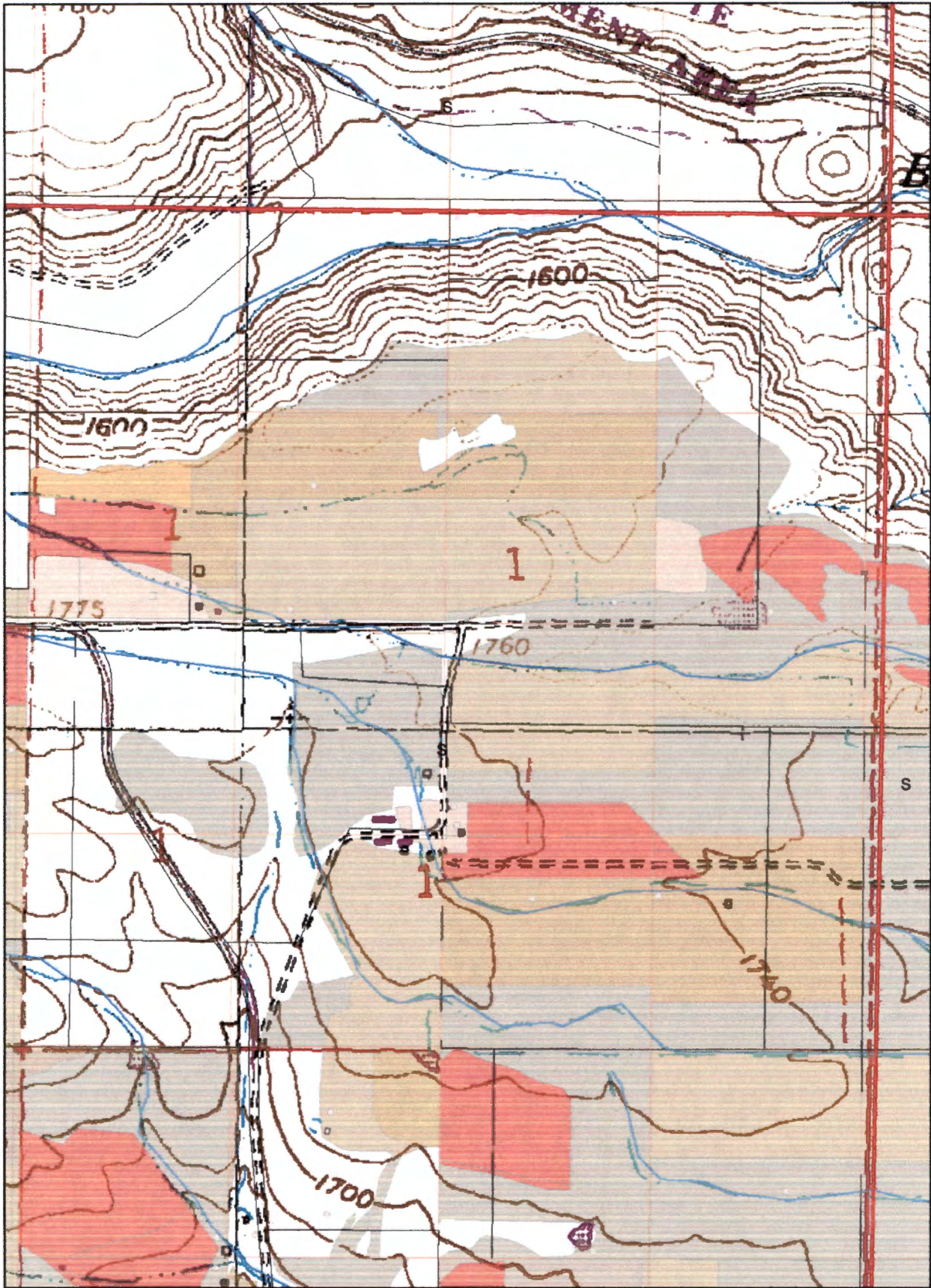


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T4S R12E Sec 1 POU certificate 46530

Permit
S-2163



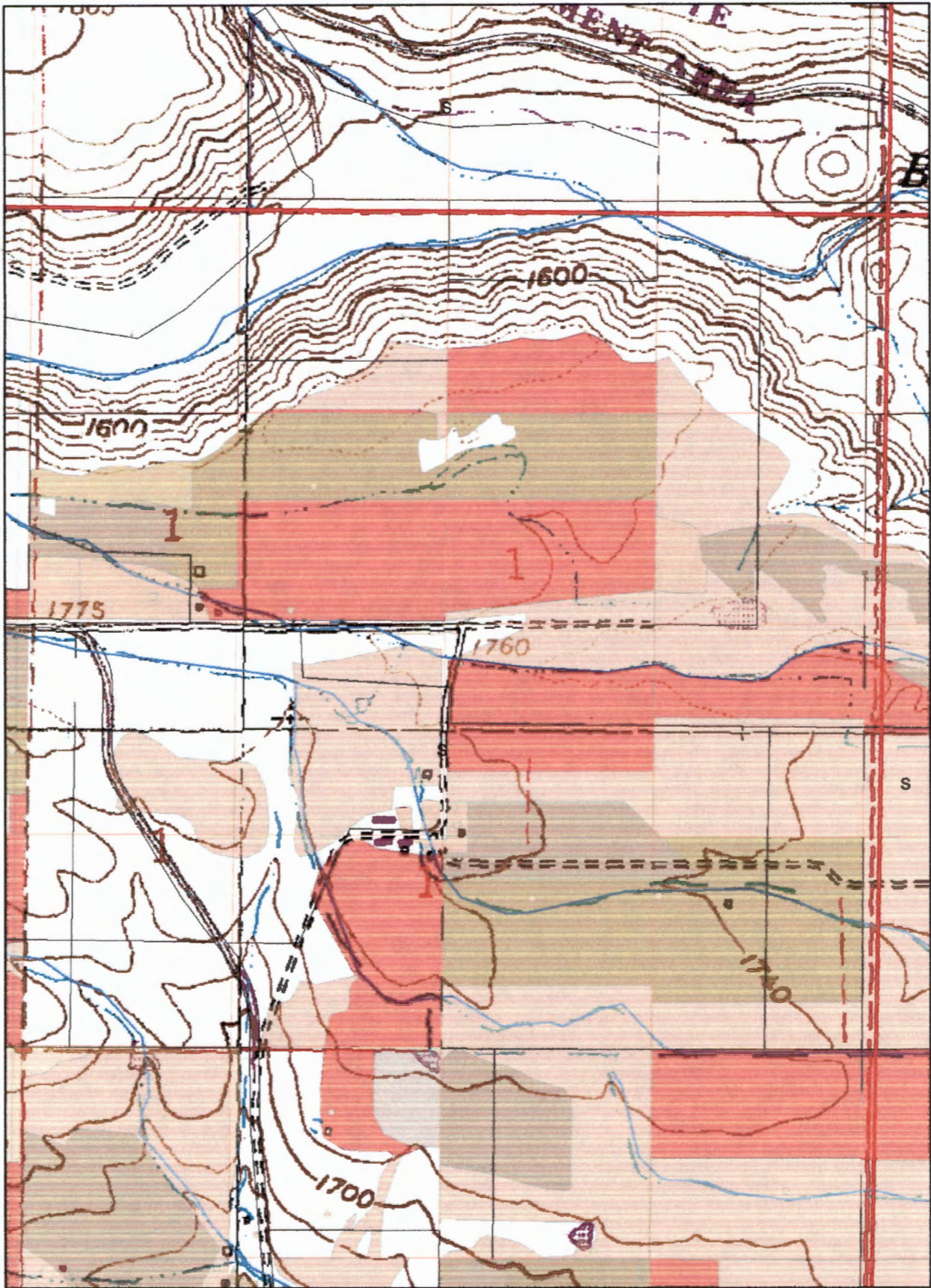
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T4S R12E Sec 1 POU certificate 46531

Permit
S-22633



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Greg Kupillas

From: Bob Wood [Robert.L.WOOD@wrд.state.or.us]
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Bob Wood

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Thanks!

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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.

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Robert Wood
Watermaster, District 3

6/26/2006

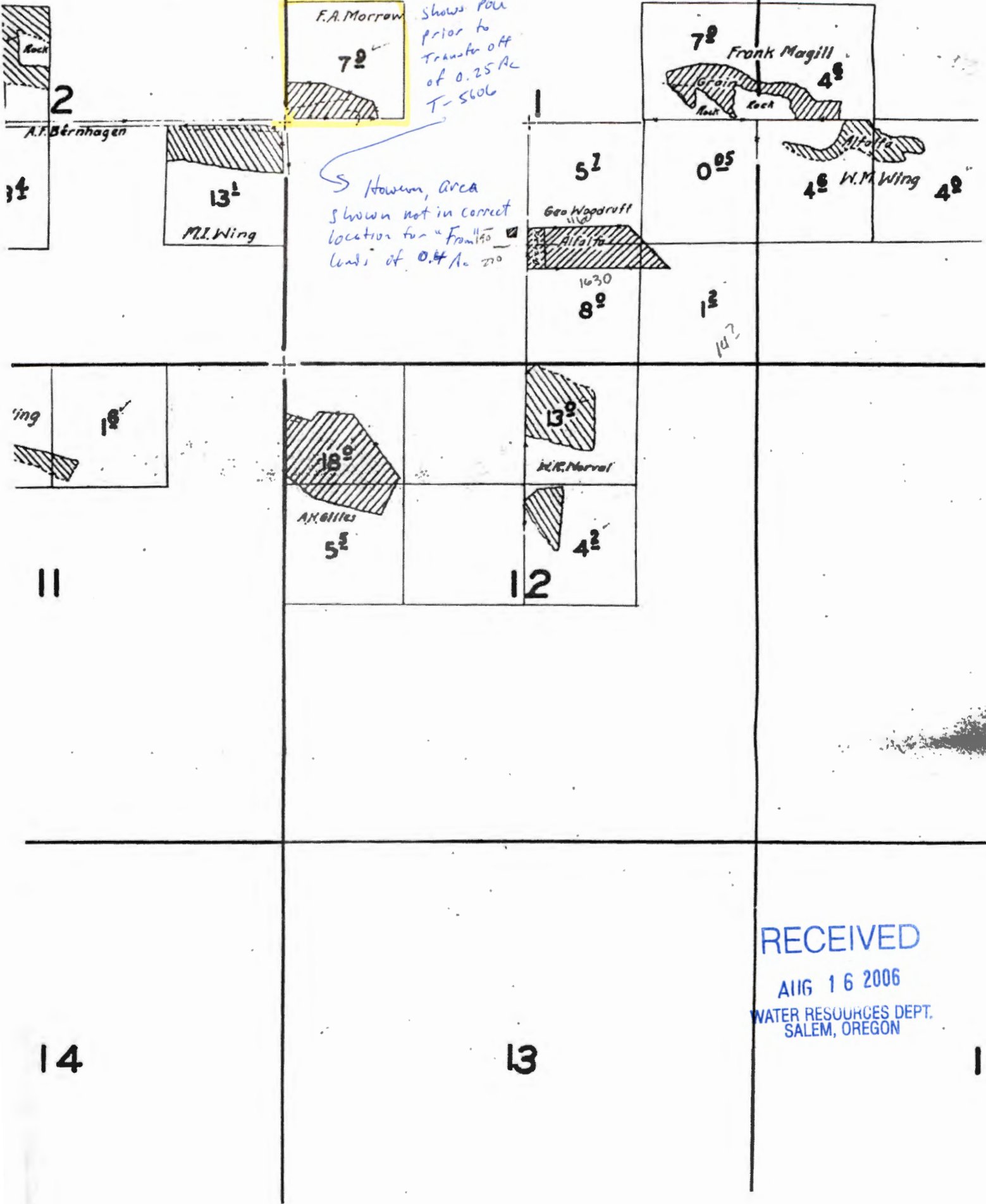
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P. 2163

14S, R12E.

T4S, F



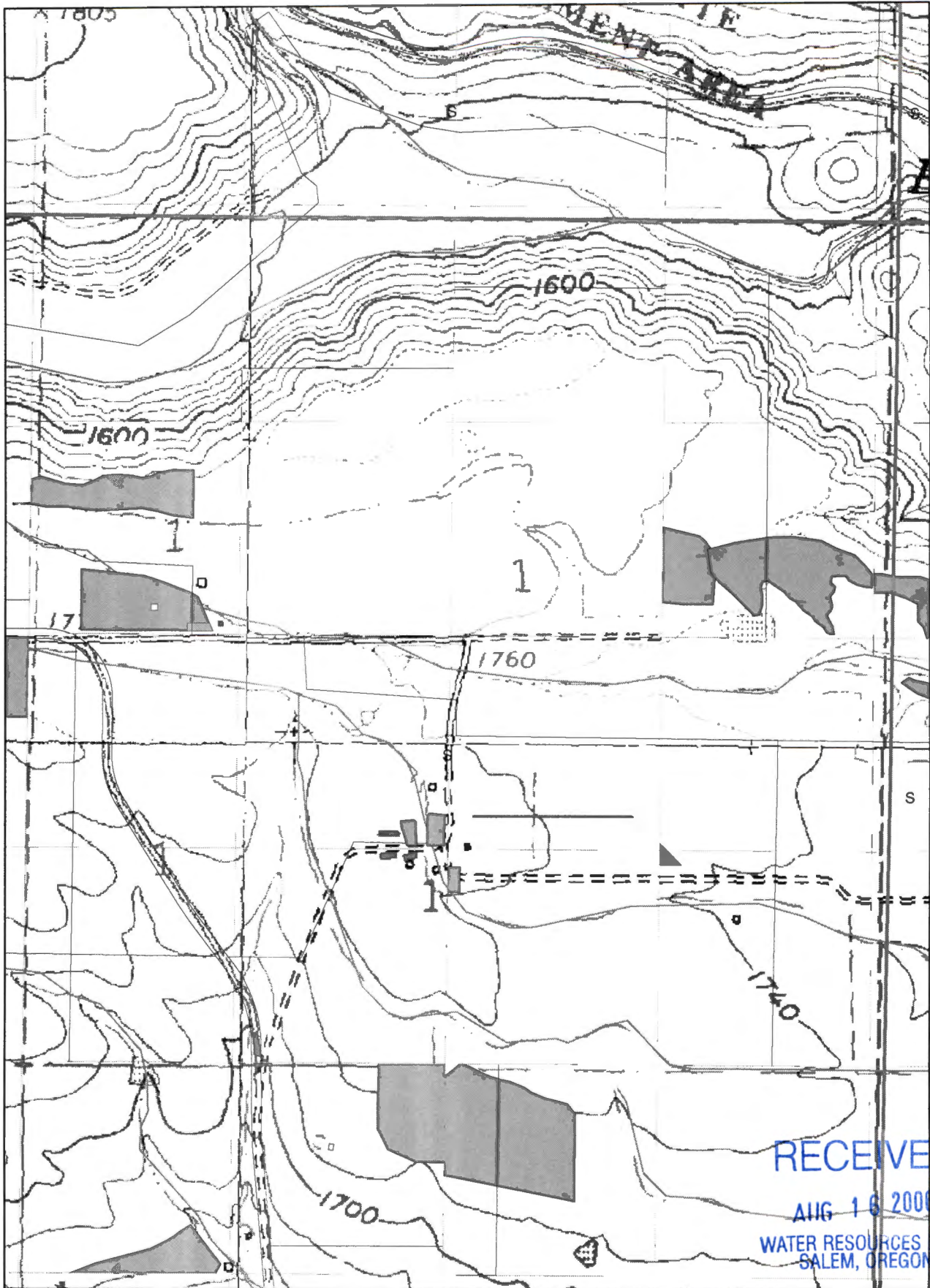
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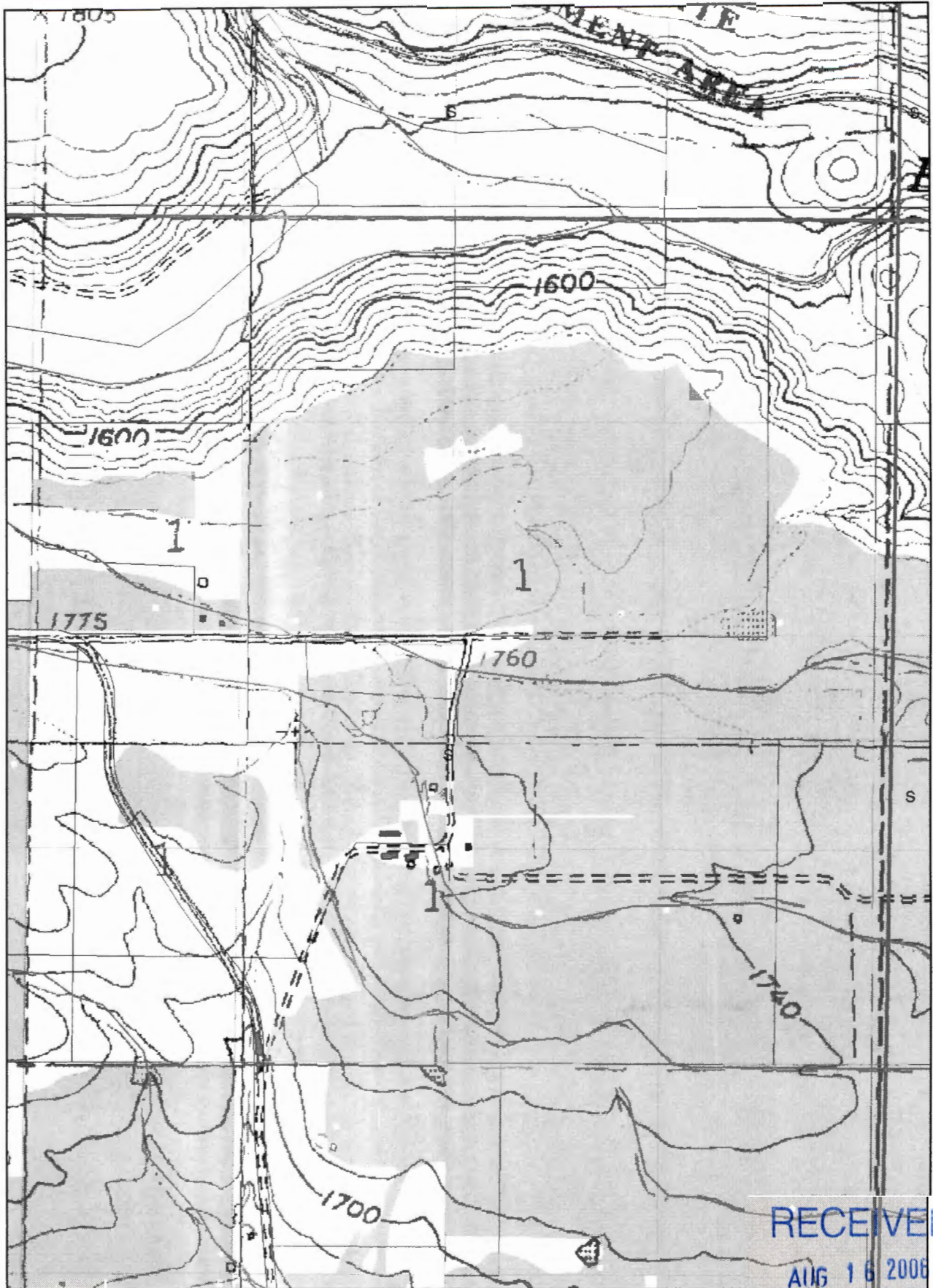
T4S R12E Sec 1 *Lake OK*



Certificate 46368 Supplemental

T4S R12E Sec 1

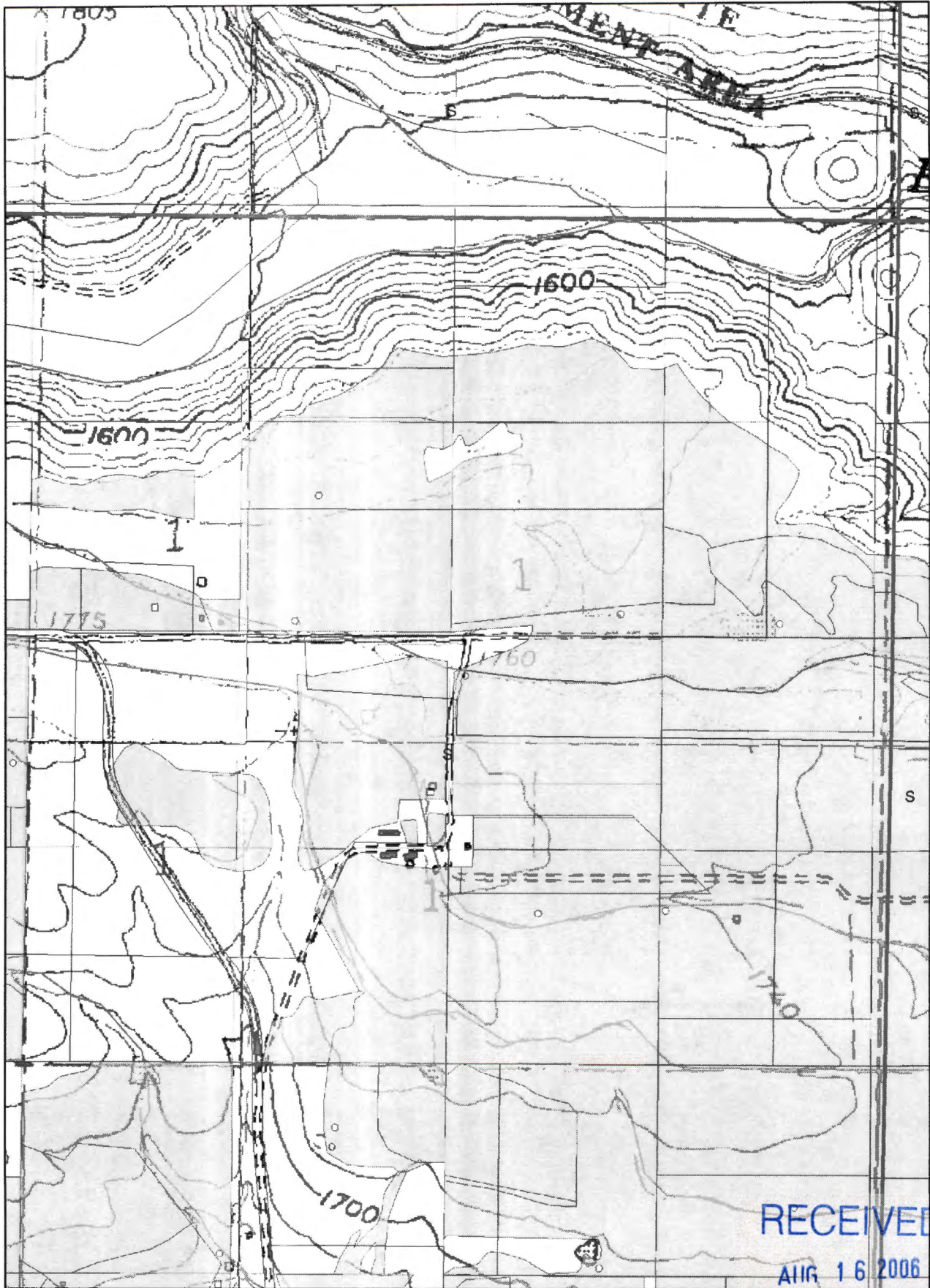
Looks Ok



Certificate 51486

WATER RESOURCES DEPT.
SALEM, OREGON

T4S R12E Sec 1 *Looks OK*



Certificate 51487

WATER RESOURCES DEPT.
SALEM, OREGON

T.3 S. R.12 E.

T.3 S. R.13 E.

T.4 S. R.12 E.

T.4 S. R.13 E.

CERT 46368

Acres in most QQ's
do not match C 76223.

TL 300

T.L. 200
26

TL 2700



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13

18

To: File Page 1 of 1
 From: GR Date: 7/14/06
 Project: McAllister T-9990
 Subject: Calculation for Total Rate and Quantity Stored for PD Notes

<u>Centimeter</u>	<u>Rate (cfs)</u>	<u>Stored Quantity (AF)</u>
7271	0.0375	NA
46532	0.187 (0.133 cfs P, 0.054 cfs S)	NA
80637	0.005	NA
76222	0.138	NA
76223	NA	9.0 AF
51486	NA	11.89 AF
51487	NA	11.88 AF

Total 0.368 cfs 32.77 AF
 0.314 P 0.054 S

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 SALEM, OREGON

Action

Oregon Water Resources Department



FAXED
6/9/06
BSP



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: (503) 632-5983

Date: 6/9/06

Pages: 21, including cover sheet

From: Dorothy Pedersen

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. Hopefully 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

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Dorothy Pedersen

From: Greg Kupillas [phggek@bctonline.com]
Sent: Thursday, June 08, 2006 10:34 AM
To: 'Dorothy Pedersen'
Subject: McAllister Transfers

T4 S R12E Sec 1
T4 S R13E Sec 7
" " Sec 8

-->

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, which also affect certificate(s). Upon issuance of final orders for these transfers, new certificates will be issued that reflect changes due to all of these applications."

And, as we have discussed, I am unable to confirm most of the "From" lands and have also identified a number of potential conflicts with the "To" lands which I cannot check because I do not have adequate FPS maps and most 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 provide the information I need, if they are available.

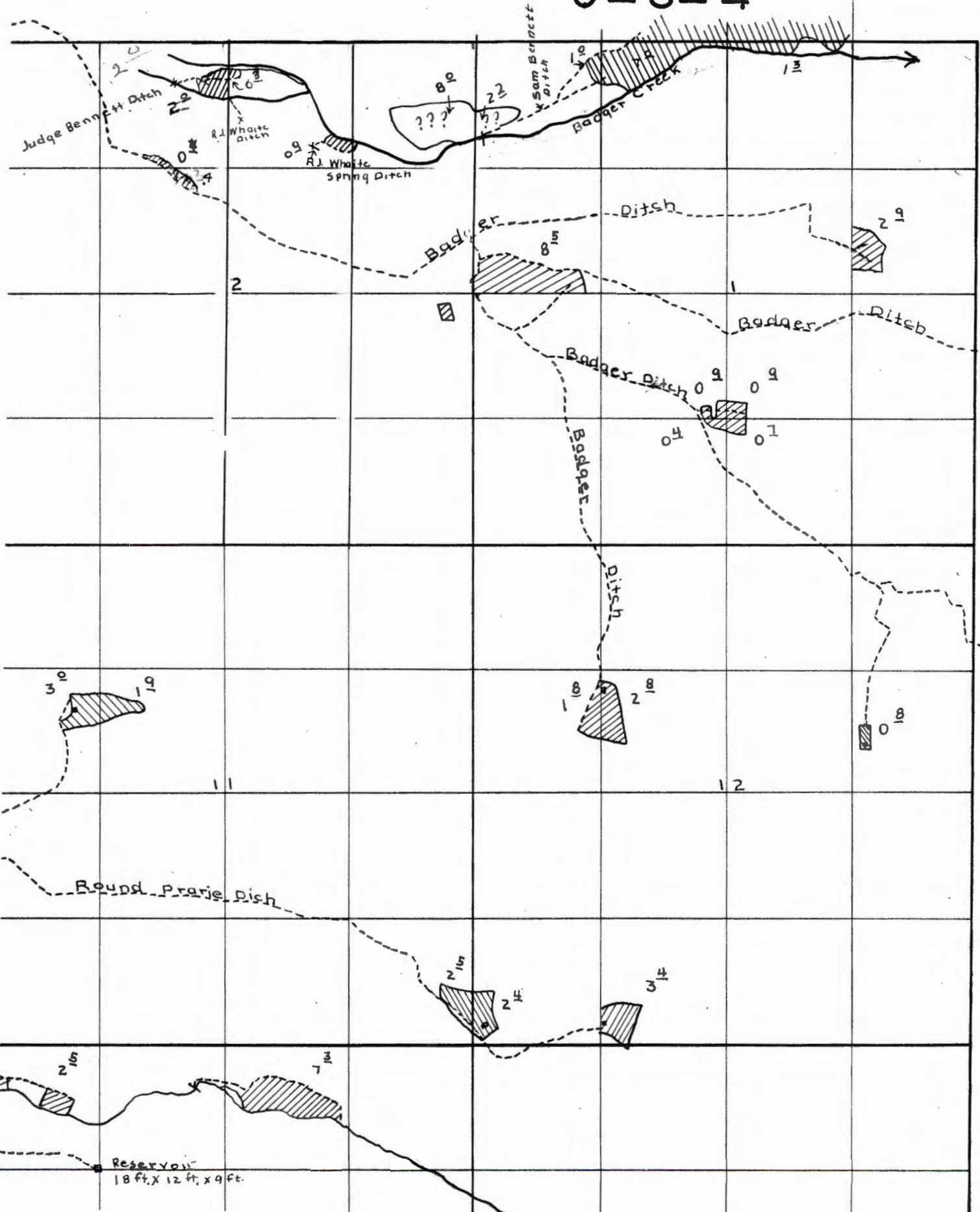
"From" Lands

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 *Cannot find*
 - ✓ T-5606 for Permit S-2163 *S-13088 (#11-3)*
 - ✓ C26642 for Permit S-22633 *S-19264*
 - ✓ C46368 for Permit S-27390 *Already sent*
 - ✓ C51486 for Permit S-33228 *S-43459 ✓*
 - C51487 for Permit S-39616 *- S-53066 (#11-3) (15242 Map Res)*
- Cannot find*
- White R. decree*
Transfers 050 NA
D-136 ✓
P-59 NA
D-137 ✓
T-4800 NA
T-8080 - Ken has in Pendleton
- same as*

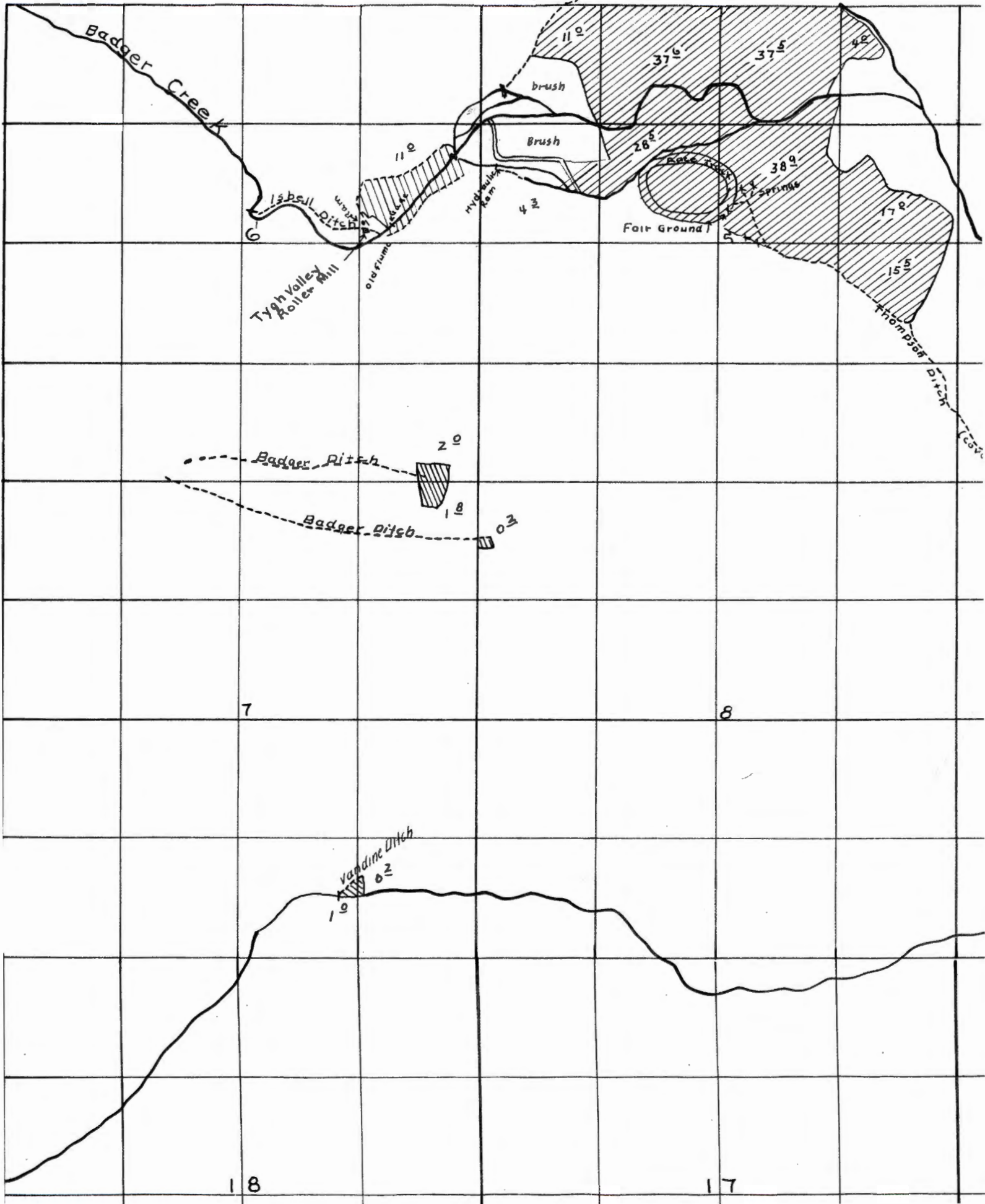
from White River Decree map
T4S R12E

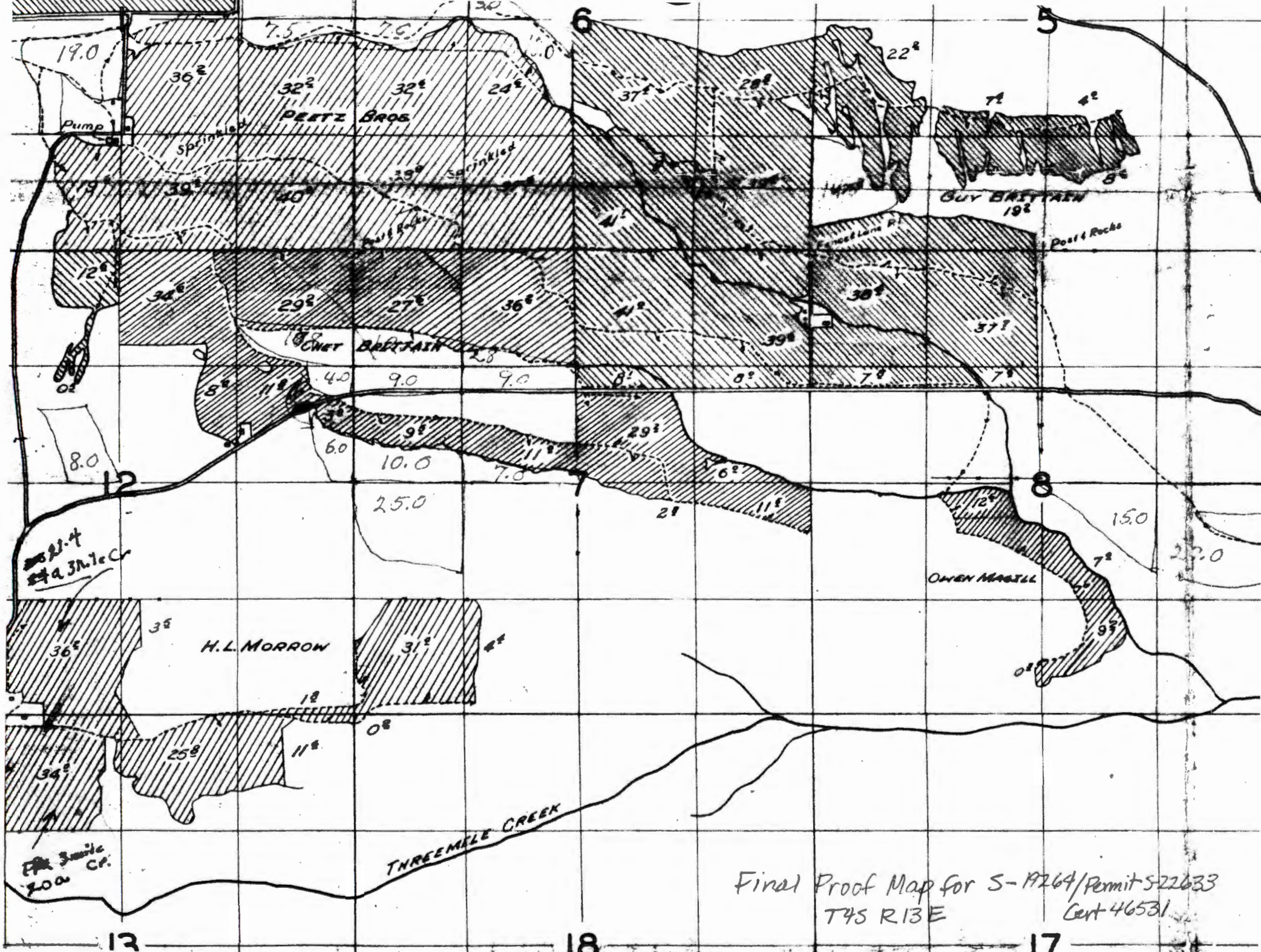
6-3-4



from White River Decree map
T45 R13E

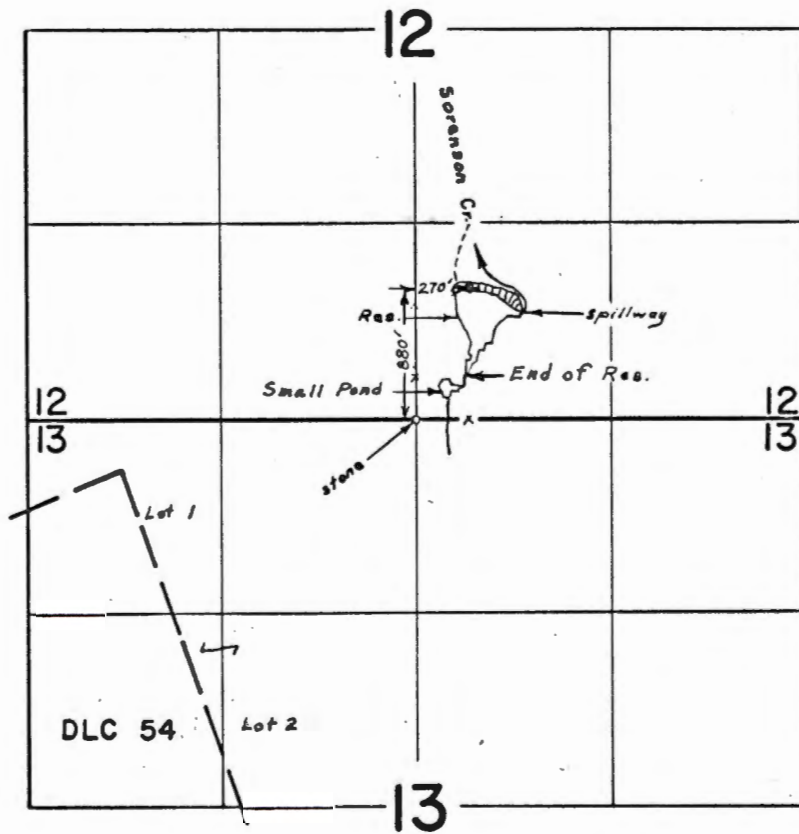
Toy





Final Proof Map for S-19264/Permit 522633
 T4S R13E
 Cert 46531

T.5S.R.2E.W.M.



FINAL PROOF SURVEY
UNDER

R-43441 R-5263
Application No. 43459 Permit No. 33288
IN NAME OF

WILLARD G. DEARDORFF

Surveyed Nov. 19 1969, by L. E. Gould

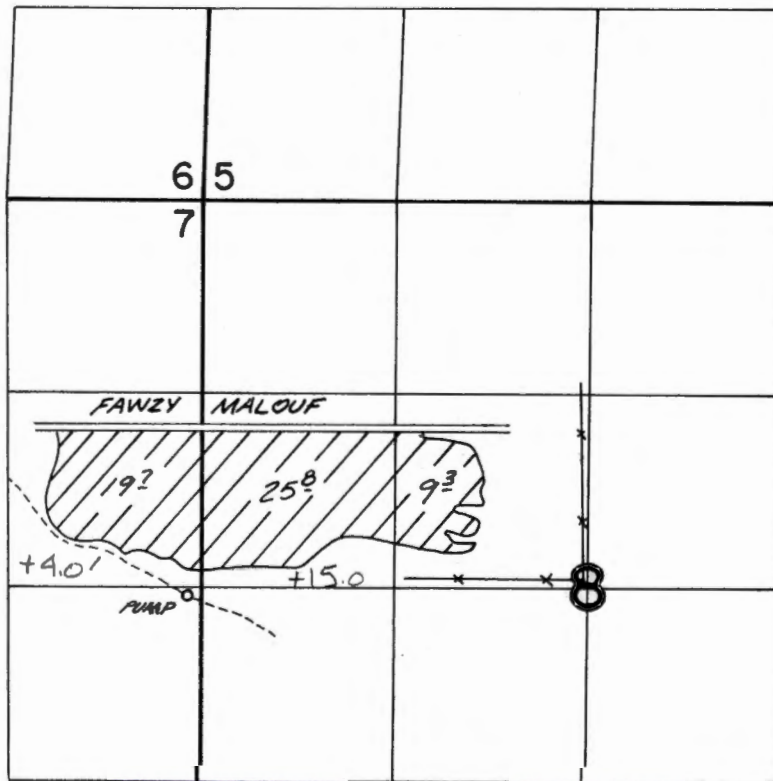
Final Proof map for

D-136 + D-137

App S-19264, Permit 22633 ~~for~~

App S-13088, Permit 15165

T.4S. R.13E. W.M.



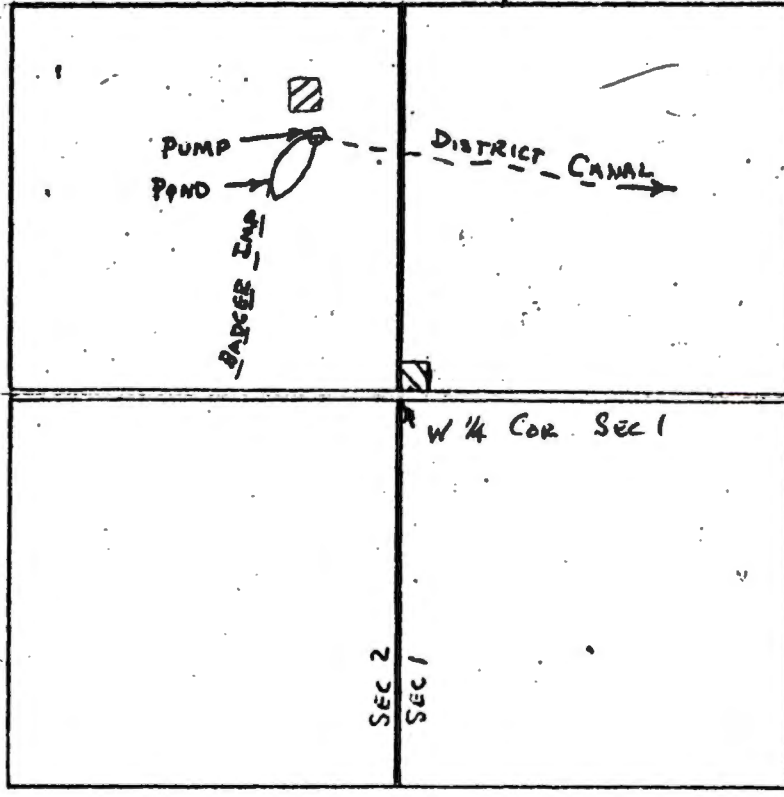
T-5606

RECEIVED

MAR 13 1985

WATER RESOURCES DEPT
SALEM, OREGON

Sec - 2-45-12E Sec 1 T4S R12E



RECEIVED

APR 1 1985

WATER RESOURCES DEP
SALEM, OREGON

SCALE 8" = 1 MILE



FROM



TO

Application map for T-5606

App 5-3843 / Permit 2163

T.3S. R.12E T.3S. R.13E.

T.4S. R.12E T.4S. R.13E.

Application map 5-68644
Permit 5-50066



PINE HOLLOW CREEK

THREE MILE CREEK

T.4704

12 31² 37² 37⁶ 31⁰ 9² 8⁵ 6
8⁰ 22⁸ 37² 39¹ 37¹ 5² 34² 39¹ 28¹
0⁵ 24⁸ 39⁶ 40⁰ 38⁰ 37⁶ 40⁰ 39²
13¹ 38¹ 10⁰ 30⁰ 36⁰ 38⁵ 37³ 38² 39¹ 39¹
31⁶ 21¹ 27⁶ 35² 28¹ 24³ 37³ 33³
15² 2² 55² 22² 36¹ 42² 11² 14⁰
12
36¹ 37² 20¹ 10⁶ 10⁶
18 52 0²
28⁰ 37⁶ 32⁸ 31¹
12

Township 4 South

Lizzie Chastain

Otto Busk

W.B. Knox

Bertha & Roy Darby

W.W. Ross

M. Alice Webb

County Fair Grounds

George Burlingame

Wray La

12.9 Acres
8.5 Acres

3 Acres 8.9 Acres
4.6 Acres

8.6 Acres

13.75 Acres
2.9 Acres

Wilbur Wing

O. C. Brittian

10.1 & 4 Acres
14.2 Acres

12 Acres 3 Acres

5 Ac.

Chester Brittian

J.E. Wing

C. W. I

23.5 Acres
6 Acres

36.2 Acres

WAMIC MARKET ROAD

80 Acres

Ilis

12

7

8

Chester Brittian

George Magill

Unidentified map in S-13088 file
Permit 5-15165

1 1

6

TOWNSHIP 3 SOUTH
TOWNSHIP 4 SOUTH

Map preparatory to
Final Proof Survey Map
App 5-13088/Permit 15165

Creek

W.W. Ross
8¹/₂ Ac. 1929
5 Ac. 1925
15 Ac. 1929
15 Ac. 1929
15 Ac. 1929
11.52 Ac. 1929
SUP.

5¹/₂ Ac. 1914
5.35 Ac. 1929
SUP.

Peetz Brothers

20 Ac. 1929
8 Ac. 1914
28 Ac. 1929
SUP.
30 Ac. 1929
1.2 Ac. 1914
31 Ac. 1929
SUP.

10 Ac. 1929
10 Ac. 1929
10 Ac. SUP.
1929
10 Ac. SUP.
1929

GUY

10 Ac. 1929
20 Ac. 1929
SUP.
4 Ac. 1932
83 Ac. 1914
2 Ac. 1893

Brittain

11.2
10 Ac. 1914
10 Ac. 1929
SUP.

Wasco County
Fair Grounds

See letter 7/28/53
authorizing
corrections

3.0 Ac. 1929
SUP

18 Ac. 1914
14.7 Ac. 1929
Mahahey and Alva Mahahey

26 Ac. 1929
26 Ac. 1929
SUP.

14¹/₂ Ac. 1929
9¹/₄ Ac. 1929
SUP.

10 Ac. 1929
20 Ac. 1925
20 Ac. 1929
SUP.

55 Ac. 1914
6 Ac. 1929
SUP.

19 Ac. 1920
15¹/₂ Ac. 1929
SUP.

See letter 7/28/53
authorizing
corrections

10 Ac. 1930
GENE Cert. 9017
Chester
7¹/₂ Ac. 1929
SUP.

Brittain

Pine

Mallow

Magill

H.L. + Alva Morrow

25 Ac. 1930
GENE Cert. 9017
WESLEY
2¹/₂ Ac. 1929
SUP.

H.L. + Alva Morrow

George and Owen Magill

7

12

8

Pond Road

40 Ac. 1895

28¹/₂ Ac. 1929
SUP.

Unidentified notes from Permit S-15165
file

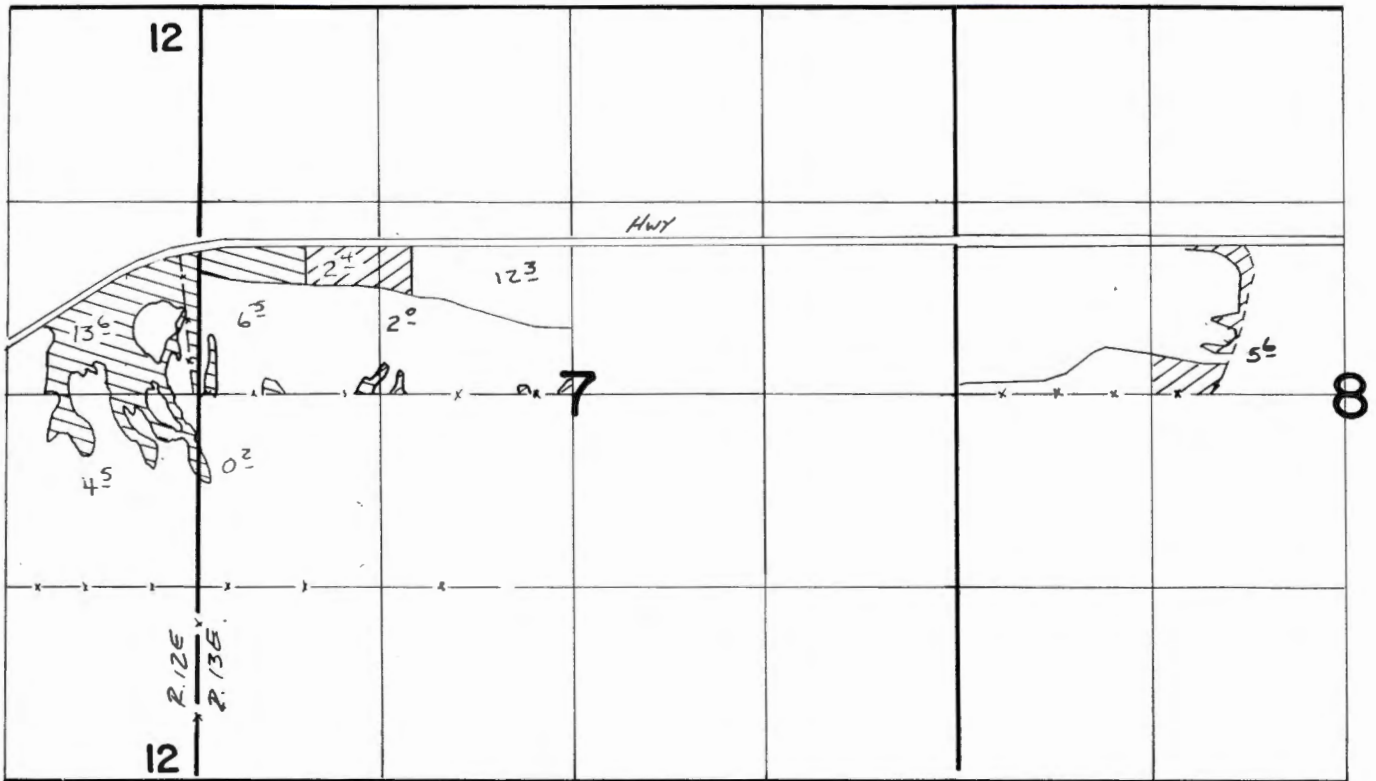
RI 2E

Township 45

Range 12E

50							150
34.0 25.8 S R.D. 45-P17901	27.3 C 5385 1.0 C 5733 28.3 P15165			7.9 C 5385 8.5 C 5733 5.0 C 7221 8.6 11.52 S	15.0 15.5 25.2		20.0 P15165 15.0 15.0 S 20.0
	8.4 C 5385 8.4 P15165 4.8	RD 45-P17901	13.1 C 5385 9.0 P15165 16.9 20.76 S		0.9 C 5733 0.9 P15165		5.7 C 5385 0.9 C 5733 19.5 P15165 5.35 S 2.4 C R.D. 45 P17901
3.6 C 5385 12.5 P15165 16.0	17.7 14.14 S		30.0		0.4 C 5733 15.7 P15165 14.0		8.0 C 5385 0.7 C 5733 17.7 P15165 20.0 28.0 S
4.2 C 5385 6.2 C 5764 4.2 P15165 11.2	7.9 C 5385 4.8 C 5764 10.0 C 1108 26.7 P15165 10.0 17.0 S	1.6 C 5385 5.0 C 1108 1.4 P15165 18.0	14.4	18.0 C 5385 1.2 P15165 5.6 C 19579 14.76 S	6.0 C 9529 6.0 P15165 5.0		13.0 C 5385 13.0 P15165 30.0
3.0 C 5764			2.8 C 5764 30.0	5.5 C 5385 1.8 C 5733 7.3 P15165 17.0 C 19579 1.8 C 19579 6.0	2.8 C 5733 2.8 P15165 2.8 C 19579 2.8 C 19579		4.2 C 5385 5.8 C 5764 19.0 C 7865 23.2 P15165 15.5 S R.D. 45-P17901
10.1 C 5385 13.5 C 5764 10.0 C 9508 15.0 P15165 10.0 S	0.25 C 5764 28.0 C 12335	17.0 C 12335	20.0 C 11710	20.0 C 11710			2.5 C 9017 2.5 P15165 ?
7.5 C 5385 7.5 P15165 3.0 S	4.6 C 5764 6.0	4.85 C 5764 5.0	2.8 C 5764 10.0 C 11710	2.8 C 5764 15.0 C 7265 15.0 C 11710	3.4 C 5764 18.0 C 7869 5.0 P15165 5.0		5.0 P15165
3.0 C 5772 2.0 C 5750 3.0 C 5759	11.0 C 5772 0.5 C 8504 20.0 C 2306	1.0 C 5772 10.0 C 7372 4.5 C 8504		25.0 C 7265	20.0 C 7869 5.0 P15165 4.0 4.0 S		12.0 8.0 S 11.0 4.5

T. 4S., R. 12 & 13E., W. M.



T-4704



T-4957

FINAL PROOF SURVEY UNDER

TRANSFERS 4704, 4957
IN NAME OF

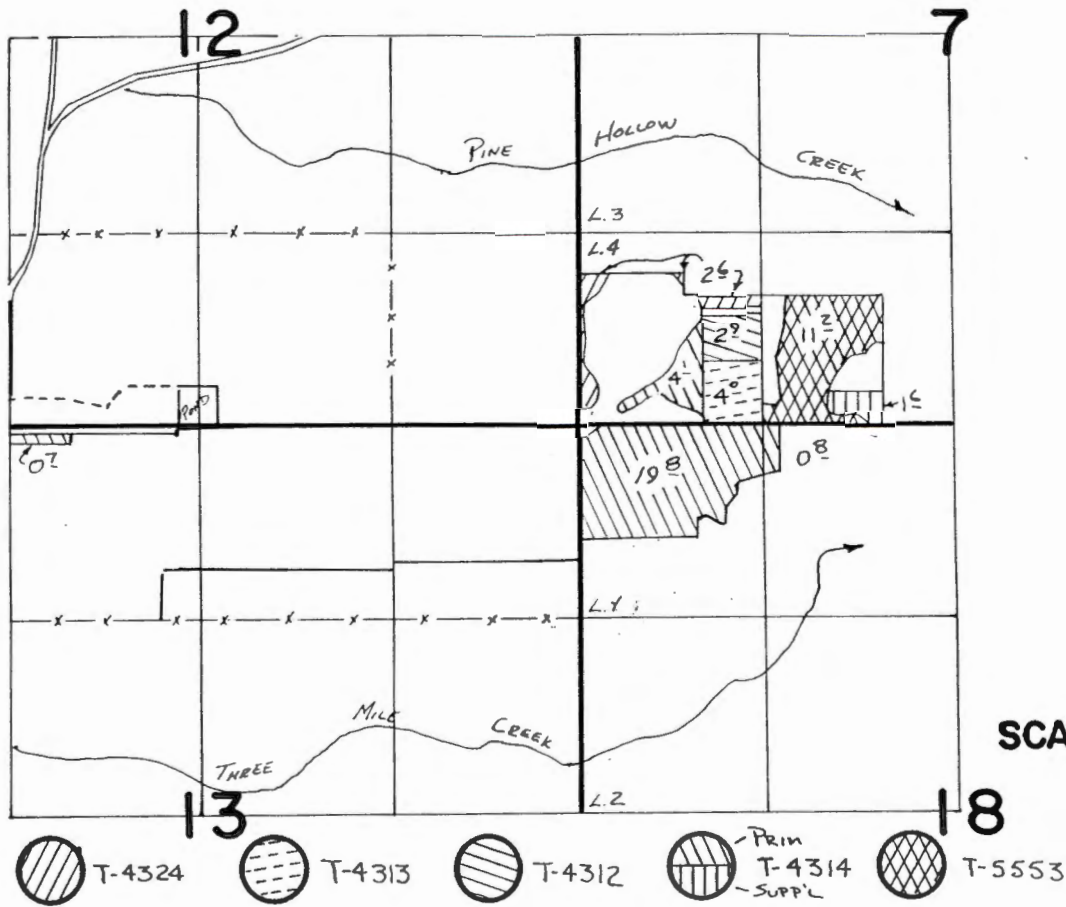
.....Wm. R. McALLISTER.....

Surveyed 10-19..... 1988, by Vh. Church.....



SCALE 1" = 1320

T. 4S., R. 12 & 13E., W. M.



FINAL PROOF SURVEY
UNDER

TRANSFERS 4324, 4313, 4312, 4314, 5553
IN NAME OF

.....**RAY A. BENZEL**.....

Surveyed 10-18 1988, by V.H. Church.....

Application for Transfer

T-4957

Wm. R. McAllister
Rt 1 Box 46
Tygh Valley, Ore 97063

RECEIVED

DEC 11 1981

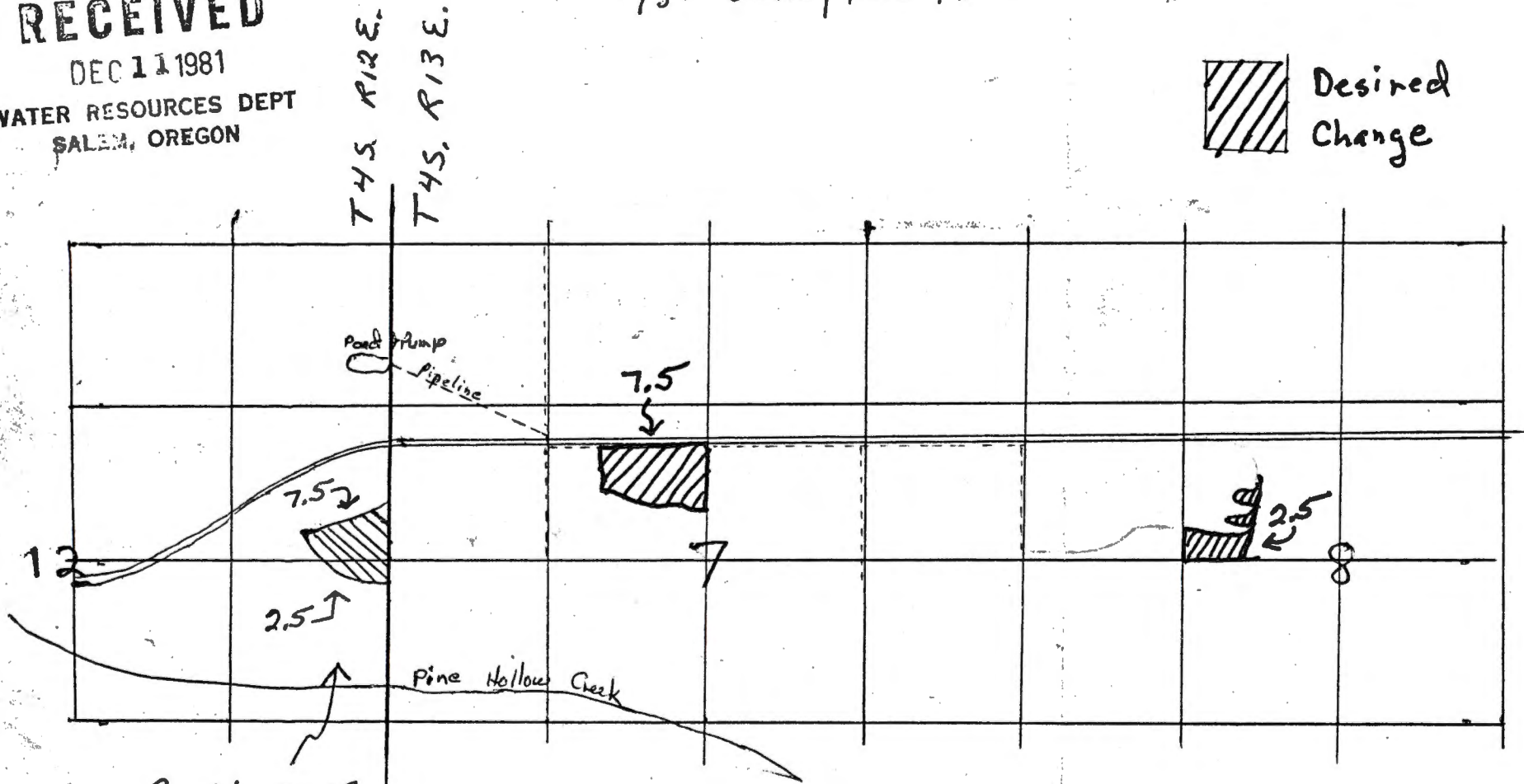
WATER RESOURCES DEPT
SALEM, OREGON



Current Permit



Desired Change



Permit 9708
Cont. 9017

RECEIVED

DEC 28 1981

WATER RESOURCES DEPT
SALEM, OREGON



T-4957 Application map

Info: Wm. R. McAllister
- Same address -

Spoke w/ he Roy Horton who manages the irr ^{he} ~~who~~ explained
system & areas of use.

POU: Surplus ditch H₂O collects into a pond & then is
Flooded onto new place of use.

Use: Pasture

~~LAH~~

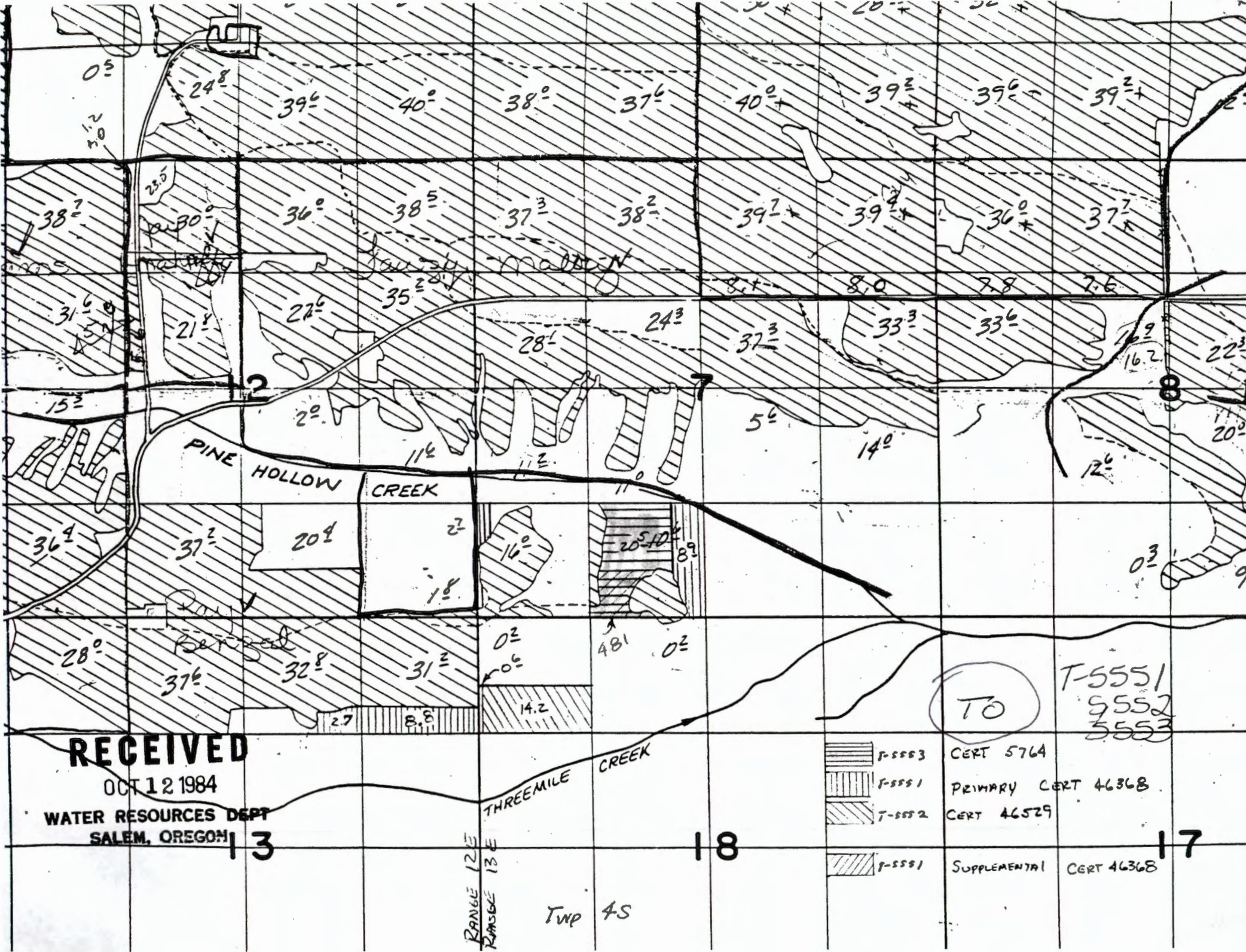
Tie: 41065-472-86

10-19-88

D. King

W. King

Note: The surplus is from the land north of the road. Some of the land
in Sec 7 is not irrigated.



RECEIVED

OCT 12 1984

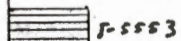
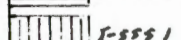
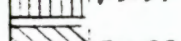
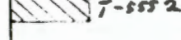
WATER RESOURCES DEPT
SALEM, OREGON

3

RANGE 12E
RANGE 13E

TWP 4S

18

-  T-5553
-  T-5551
-  T-5552
-  T-5551

CERT 5764
PRIMARY CERT 46368
CERT 46529
SUPPLEMENTAL CERT 46368

TO

T-5551
5552
5553

17



Oregon

Theodore R. Kulongoski, Governor

Dorothy Pedersen

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)
WATER -----)

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 SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 4 South, Range 12 East, W. M., with a date of priority of October 21, 1929.

Water 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 SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 3 South, Range 10 East, W. M., and 1290 feet South and 550 feet West from the Center of Section 29, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 3 South, Range 11 East, W. 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 SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 4 South, Range 13 East, 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.

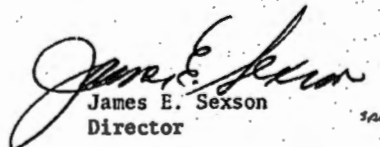
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

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.


James E. Sexson
Director

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 $\frac{1}{4}$ NE $\frac{1}{4}$, 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 ¼ SW ¼ 4.0 ACRES
SECTION 33
T 3 S, R 12 E, W.M.

SE ¼ SE ¼ 15.0 ACRES
SECTION 2
T 4 S, R 11 E, W.M.

SW ¼ NE ¼ 15.0 ACRES
SW ¼ NW ¼ 8.6 ACRES
SE ¼ NW ¼ 15.0 ACRES
SW ¼ SE ¼ 20.0 ACRES
SE ¼ SE ¼ 30.0 ACRES
SECTION 1

SW ¼ NW ¼ 34.0 ACRES
SE ¼ SW ¼ 17.7 ACRES
NE ¼ SE ¼ 16.9 ACRES
SECTION 2

NW ¼ NE ¼ 5.0 ACRES
SW ¼ NE ¼ 20.0 ACRES
SE ¼ NE ¼ 8.0 ACRES
NE ¼ NW ¼ 15.7 ACRES
NE ¼ SE ¼ 8.0 ACRES
NW ¼ SE ¼ 6.0 ACRES
SE ¼ SE ¼ 5.0 ACRES
SECTION 3

SW ¼ NW ¼ 2.5 ACRES
SE ¼ NW ¼ 15.0 ACRES
SW ¼ SW ¼ 11.7 ACRES
SECTION 4

SE ¼ NW ¼ 15.0 ACRES
SECTION 5

SE ¼ SE ¼ 20.0 ACRES
SECTION 7

SW ¼ SW ¼ 8.0 ACRES
SECTION 8

NW ¼ NW ¼ 5.0 ACRES
SW ¼ SE ¼ 7.0 ACRES
SE ¼ SE ¼ 6.5 ACRES
SECTION 9

SW ¼ NE ¼ 5.3 ACRES
NE ¼ SE ¼ 7.3 ACRES
NW ¼ SE ¼ 10.6 ACRES
SECTION 10

NE ¼ NW ¼ 10.0 ACRES
SE ¼ SW ¼ 6.0 ACRES
SECTION 11

NW ¼ NE ¼ 12.0 ACRES
NE ¼ NW ¼ 4.0 ACRES
SECTION 13

NE ¼ NE ¼ 2.5 ACRES
SECTION 18
T 4 S, R 12 E, W.M.

NE ¼ SE ¼ 10.0 ACRES
NW ¼ SE ¼ 10.0 ACRES
SE ¼ SE ¼ 10.0 ACRES
SECTION 6

NE ¼ NE ¼ 14.2 ACRES
NE ¼ NW ¼ 26.8 ACRES
SECTION 7

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

SUPPLEMENTAL - BADGER LAKE RESERVOIR

SW ¼ SW ¼ 4.00 ACRES
SE ¼ SE ¼ 14.14 ACRES
SECTION 33
T 3 S, R 12 E, W.M.

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

SE ¼ SE ¼ 10.38 ACRES
SECTION 2

SW ¼ SW ¼ 8.00 ACRES
NW ¼ SE ¼ 12.45 ACRES
SECTION 8

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

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

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 ¼ SE ¼ 28.00 ACRES
SE ¼ SE ¼ 31.00 ACRES
SECTION 1

SW ¼ NE ¼ 5.33 ACRES
NE ¼ SE ¼ 7.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SECTION 10

SW ¼ NW ¼ 25.80 ACRES
SE ¼ SW ¼ 14.14 ACRES
NE ¼ SE ¼ 20.76 ACRES
SECTION 2

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

NW ¼ NE ¼ 5.00 ACRES
SW ¼ NE ¼ 27.26 ACRES
NE ¼ NW ¼ 15.00 ACRES
NE ¼ SE ¼ 18.14 ACRES
NW ¼ SE ¼ 6.00 ACRES
SE ¼ SE ¼ 7.00 ACRES
SECTION 3

SW ¼ NE ¼ 15.10 ACRES
NW ¼ NW ¼ 14.76 ACRES
SW ¼ NW ¼ 6.00 ACRES
SE ¼ NE ¼ 7.50 ACRES
NE ¼ SE ¼ 2.50 ACRES
SECTION 12

SE ¼ NW ¼ 11.72 ACRES
SECTION 4

NW ¼ NE ¼ 8.00 ACRES
NE ¼ NW ¼ 4.00 ACRES
SECTION 13

NE ¼ NE ¼ 13.00 ACRES
SE ¼ NW ¼ 10.38 ACRES
SECTION 5

NW ¼ NW ¼ 7.26 ACRES
SECTION 15

SW ¼ NW ¼ 7.00 ACRES
SE ¼ NW ¼ 2.00 ACRES

NE ¼ NE ¼ 1.70 ACRES
SECTION 18
T 4 S, R 12 E, W.M.

SW ¼ SW ¼ 11.00 ACRES
SE ¼ SW ¼ 3.00 ACRES
SECTION 5

NE ¼ NE ¼ 9.40 ACRES
NE ¼ NW ¼ 26.80 ACRES
SECTION 7

NE ¼ SE ¼ 10.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SE ¼ SE ¼ 20.00 ACRES
SECTION 6

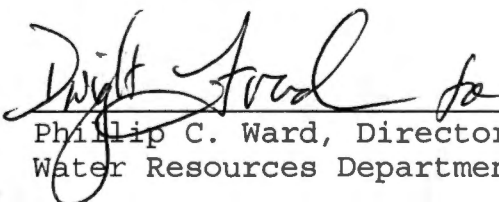
NW ¼ NW ¼ 20.00 ACRES
SE ¼ NW ¼ 4.00 ACRES
SW ¼ NE ¼ 28.66 ACRES
SECTION 8
T 4 S, R 13 E, W.M.

This certificate 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.

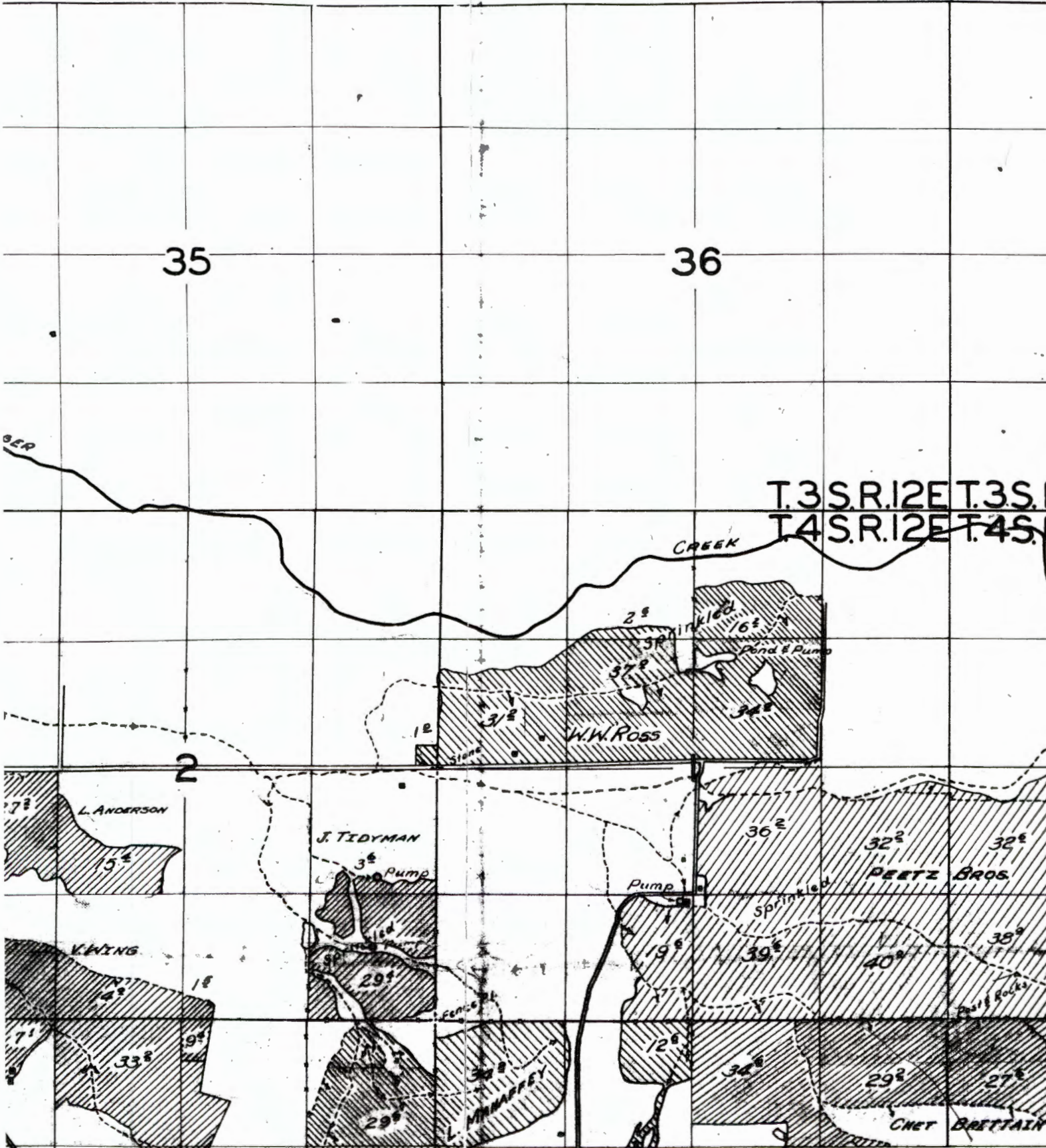
34734

19264

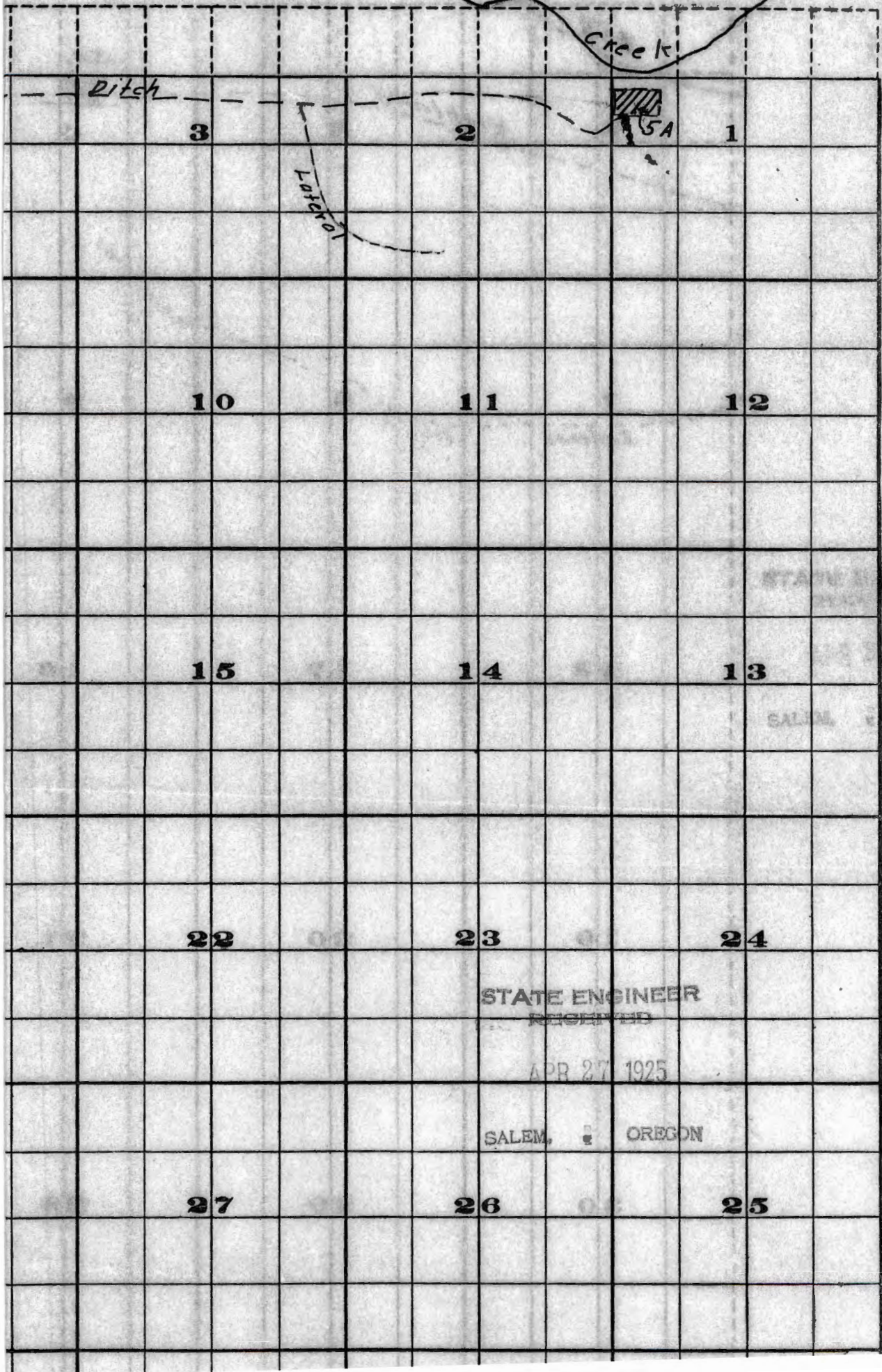
35

36

T.3 S. R.12 E. T.3 S. R.13 E.
T.4 S. R.12 E. T.4 S. R.13 E.



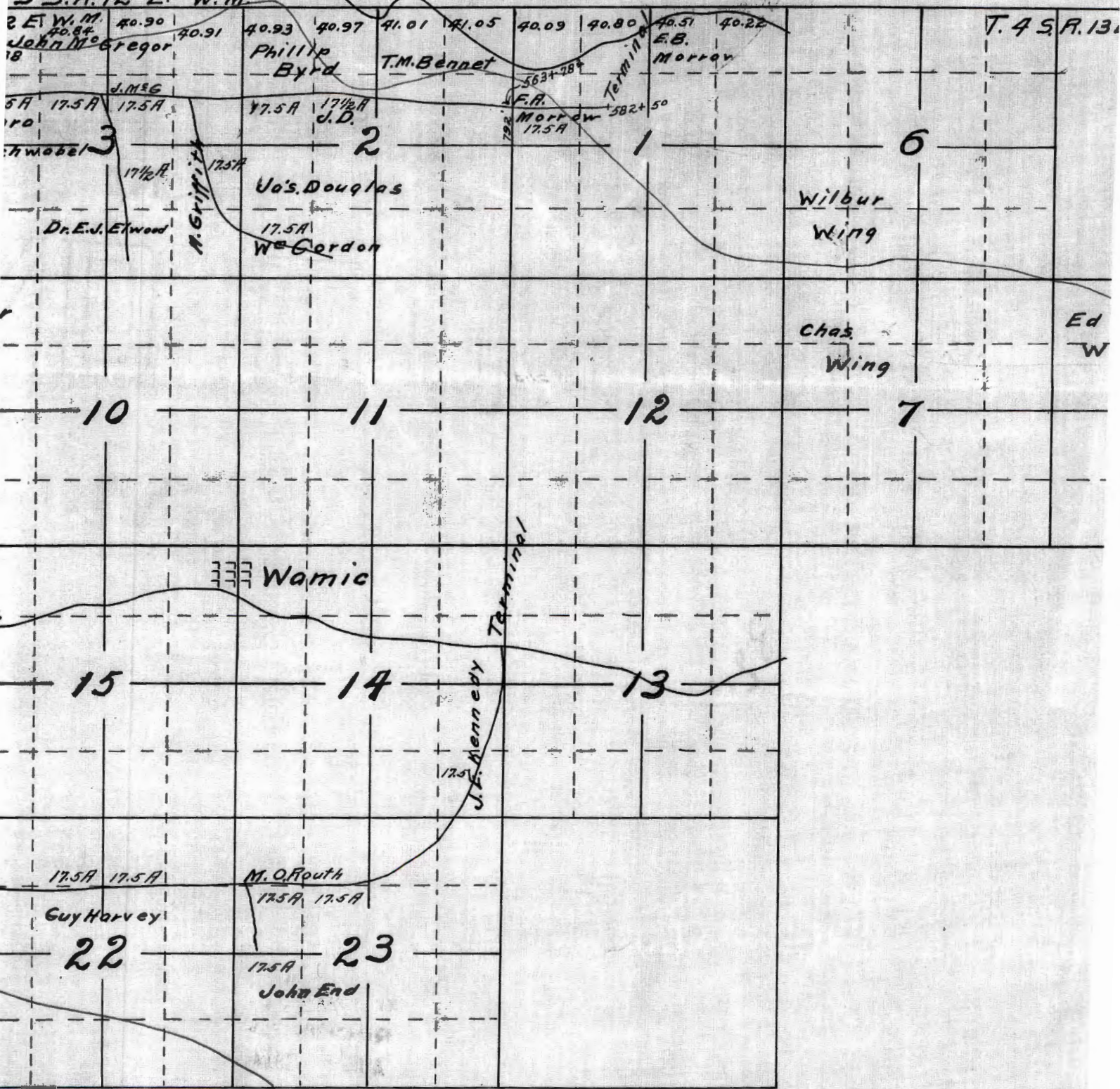
Range 12 E. App. 5-10137
Badger



5-3843

Badger Creek

3 S. R. 12 E. W. M.

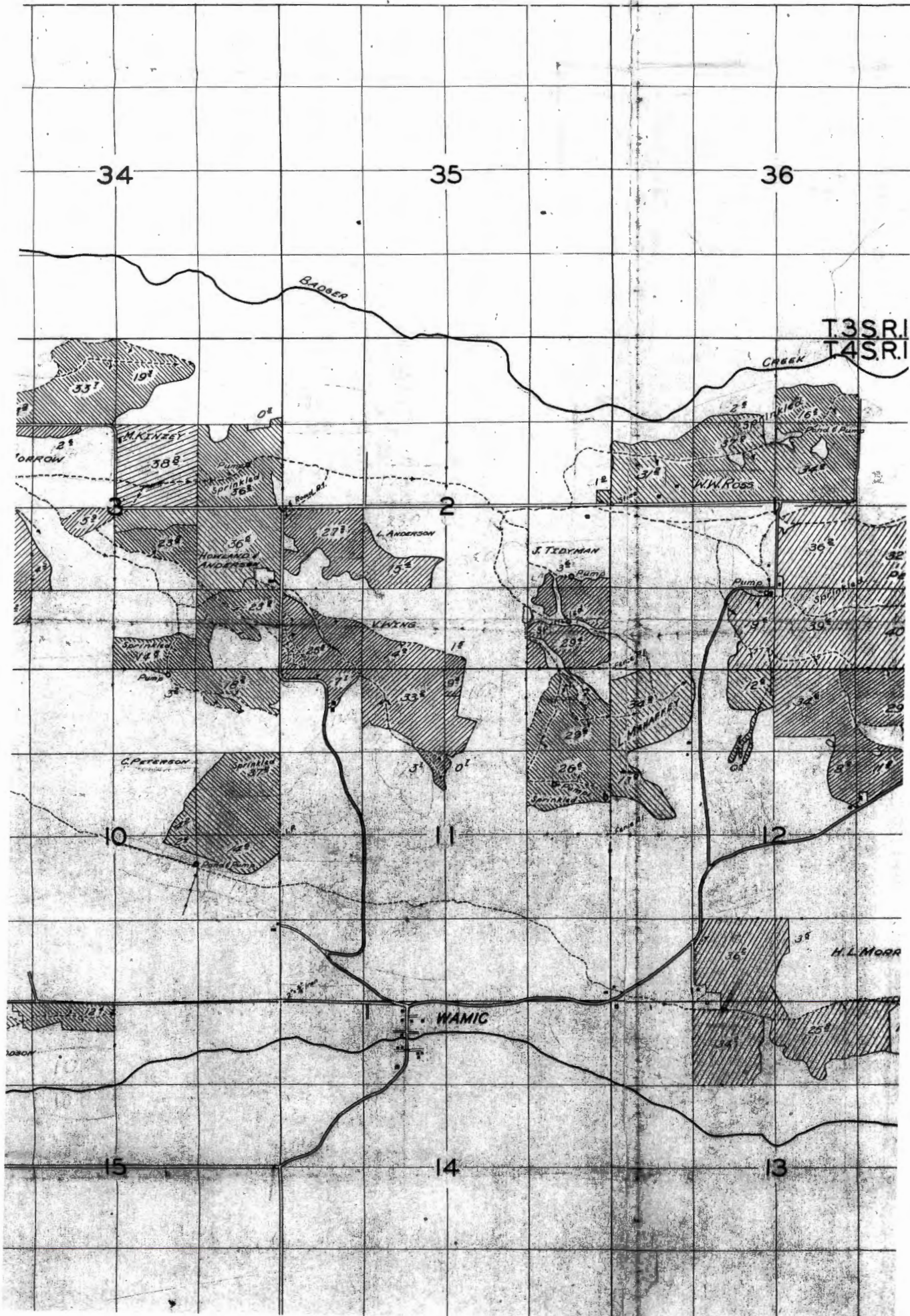


Cer.

I. E.R. Wilson,

S-34734

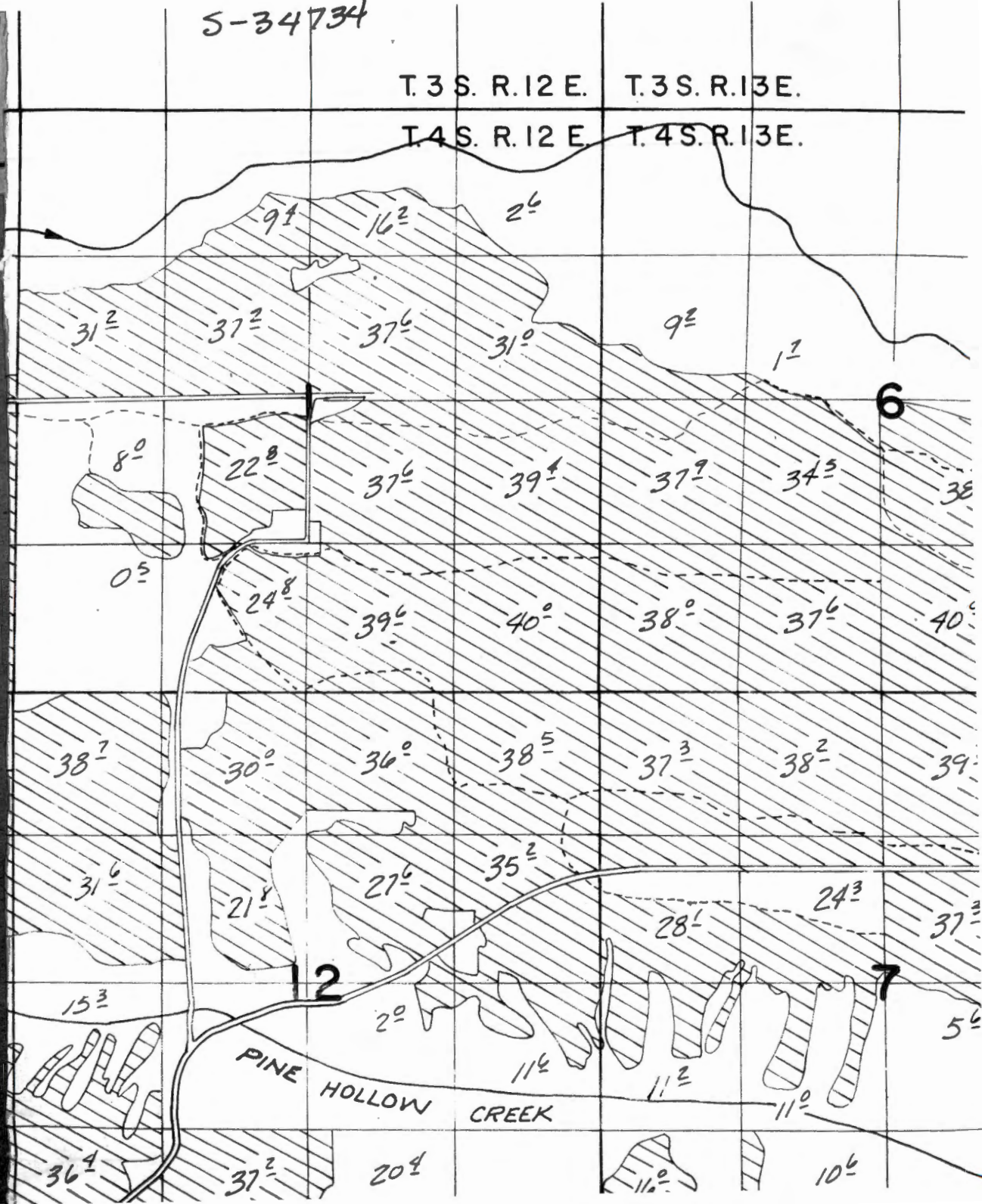
Final Proof Map



S-34734

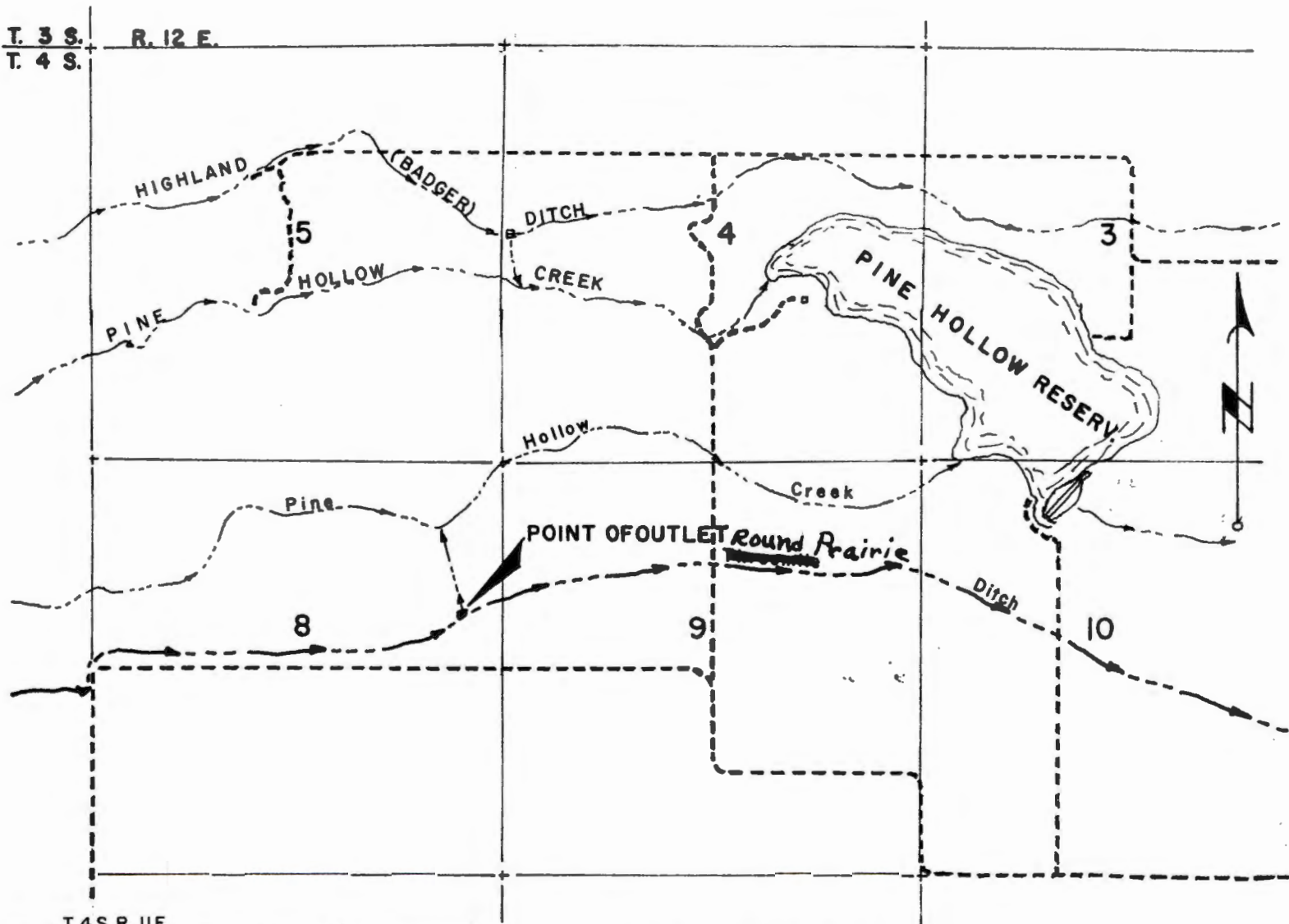
T.3 S. R.12 E. T.3 S. R.13 E.

T.4 S. R.12 E. T.4 S. R.13 E.



PINE HOLLOW COOPERATIVE INC.

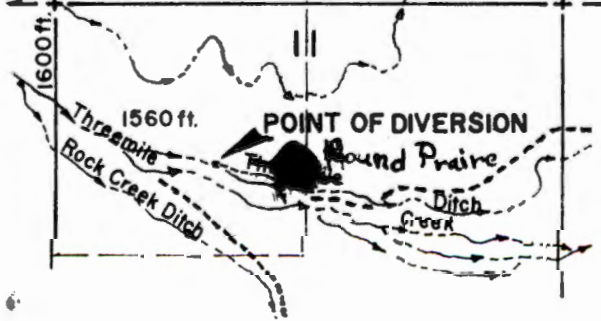
ROUTE 1 BOX 94
TYGH VALLEY, ORE.



T. 3 S. R. 12 E.
T. 4 S.

T. 4 S. R. 11 E.

T. 4 S. R. 11 E. & R. 12 E.



Application No R-530614-53066-
No. R 6368 39616

Oregon Water Resources Department



FAXED
9/21/06
DJP



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: 9/21/06
From: Dorothy Pedersen

Fax Number: (503) 632-5983
Pages: 7, including cover sheet
Phone: 503-986-0890

Comments:

Response to T-9990 DPD. Please review landownership consent and lienholder notification issues. ~~and that~~ I'll take care of adding a finding regarding the domestic use. Let me know if the landowner/lienholder requirements are met, or what is still needed. Then submit your invoice for T-9990.

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503-986-0904

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Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

From: Greg Kupillas [pnggek@pctonline.com]
Sent: Friday, August 11, 2006 11:32 AM
To: 'Dorothy Pedersen'
Subject: RR Certs for McAllister T-9990
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 transfer 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

Dorothy Pedersen

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

7/14/2006

**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--1 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

		Item	Time	<i>Revised</i>
1		Review of application for completeness.	1.5	1.5
2		Review of "From" lands to confirm consistency with existing right(s) and ownership.	8.0	8.0
3		Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	4.0	4.0
4		Preparation of draft preliminary determination, DPD cover letter and contact list.	3.0	3.0
5		Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	4.0	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

Authorized Representative: *[Signature]*

Date: *6/2/06*

Revised 7/13/06

Dorothy Pedersen

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; 8080rr51487.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 eas 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

7/10/2006

Dorothy Pedersen

From: Greg Kupillas [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 templates 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,

Have RR certs for - 76223, 80637, 76222, 51486, 51487
Need to generate rr certs for - 7221, 82086, 51487
↓ ↓
Need to send POV table

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

Dorothy Pedersen

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

6/22/2006

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:

-->

6/22/2006

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,

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 POU's 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,

6/22/2006

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@wrд.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@wrд.state.or.us

Oregon Water Resources Department



FAXED
5/24/06
DAP



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: 5/24/06
From: Dorothy Pedersen

Fax Number: (503) 632-5983
Pages: 5, including cover sheet
Phone: 503-986-0890

Comments:

Remaining right certificate to supersede certificate 46532.
Pertains to T-9990. I will email the electronic
document to you, as well as whichever other certificates
involved with T-9990 as I can find, so you will have an
easier time with the remaining right certificates.

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- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

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 ¼ NE ¼, 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 ¼ SW ¼ 4.0 ACRES
SECTION 33
T 3 S, R 12 E, W.M.

SE ¼ SE ¼ 15.0 ACRES
SECTION 2
T 4 S, R 11 E, W.M.

SW ¼ NE ¼ 15.0 ACRES
SW ¼ NW ¼ 8.6 ACRES
SE ¼ NW ¼ 15.0 ACRES
SW ¼ SE ¼ 20.0 ACRES
SE ¼ SE ¼ 30.0 ACRES
SECTION 1

SW ¼ NW ¼ 34.0 ACRES
SE ¼ SW ¼ 17.7 ACRES
NE ¼ SE ¼ 16.9 ACRES
SECTION 2

NW ¼ NE ¼ 5.0 ACRES
SW ¼ NE ¼ 20.0 ACRES
SE ¼ NE ¼ 8.0 ACRES
NE ¼ NW ¼ 15.7 ACRES
NE ¼ SE ¼ 8.0 ACRES
NW ¼ SE ¼ 6.0 ACRES
SE ¼ SE ¼ 5.0 ACRES
SECTION 3

SW ¼ NW ¼ 2.5 ACRES
SE ¼ NW ¼ 15.0 ACRES
SW ¼ SW ¼ 11.7 ACRES
SECTION 4

SE ¼ NW ¼ 15.0 ACRES
SECTION 5

SE ¼ SE ¼ 20.0 ACRES
SECTION 7

SW ¼ SW ¼ 8.0 ACRES
SECTION 8

NW ¼ NW ¼ 5.0 ACRES
SW ¼ SE ¼ 7.0 ACRES
SE ¼ SE ¼ 6.5 ACRES
SECTION 9

SW ¼ NE ¼ 5.3 ACRES
NE ¼ SE ¼ 7.3 ACRES
NW ¼ SE ¼ 10.6 ACRES
SECTION 10

NE ¼ NW ¼ 10.0 ACRES
SE ¼ SW ¼ 6.0 ACRES
SECTION 11

NW ¼ NE ¼ 12.0 ACRES
NE ¼ NW ¼ 4.0 ACRES
SECTION 13

NE ¼ NE ¼ 2.5 ACRES
SECTION 18
T 4 S, R 12 E, W.M.

NE ¼ SE ¼ 10.0 ACRES
NW ¼ SE ¼ 10.0 ACRES
SE ¼ SE ¼ 10.0 ACRES
SECTION 6

NE ¼ NE ¼ 14.2 ACRES
NE ¼ NW ¼ 26.8 ACRES
SECTION 7

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

SUPPLEMENTAL - BADGER LAKE RESERVOIR

SW ¼ SW ¼ 4.00 ACRES
SE ¼ SE ¼ 14.14 ACRES
SECTION 33
T 3 S, R 12 E, W.M.

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

SE ¼ SE ¼ 10.38 ACRES
SECTION 2

SW ¼ SW ¼ 8.00 ACRES
NW ¼ SE ¼ 12.45 ACRES
SECTION 8

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

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

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 ¼ SE ¼ 28.00 ACRES
SE ¼ SE ¼ 31.00 ACRES
SECTION 1

SW ¼ NE ¼ 5.33 ACRES
NE ¼ SE ¼ 7.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SECTION 10

SW ¼ NW ¼ 25.80 ACRES
SE ¼ SW ¼ 14.14 ACRES
NE ¼ SE ¼ 20.76 ACRES
SECTION 2

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

NW ¼ NE ¼ 5.00 ACRES
SW ¼ NE ¼ 27.26 ACRES
NE ¼ NW ¼ 15.00 ACRES
NE ¼ SE ¼ 18.14 ACRES
NW ¼ SE ¼ 6.00 ACRES
SE ¼ SE ¼ 7.00 ACRES
SECTION 3

SW ¼ NE ¼ 15.10 ACRES
NW ¼ NW ¼ 14.76 ACRES
SW ¼ NW ¼ 6.00 ACRES
SE ¼ NE ¼ 7.50 ACRES
NE ¼ SE ¼ 2.50 ACRES
SECTION 12

SE ¼ NW ¼ 11.72 ACRES
SECTION 4

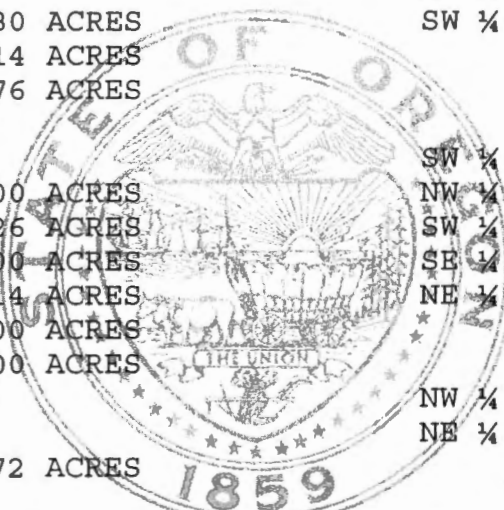
NW ¼ NE ¼ 8.00 ACRES
NE ¼ NW ¼ 4.00 ACRES
SECTION 13

NE ¼ NE ¼ 13.00 ACRES
SE ¼ NW ¼ 10.38 ACRES
SECTION 5

NW ¼ NW ¼ 7.26 ACRES
SECTION 15

SW ¼ NW ¼ 7.00 ACRES
SE ¼ NW ¼ 2.00 ACRES

NE ¼ NE ¼ 1.70 ACRES
SECTION 18
T 4 S, R 12 E, W.M.



SW ¼ SW ¼ 11.00 ACRES
SE ¼ SW ¼ 3.00 ACRES
SECTION 5

NE ¼ NE ¼ 9.40 ACRES
NE ¼ NW ¼ 26.80 ACRES
SECTION 7

NE ¼ SE ¼ 10.00 ACRES
NW ¼ SE ¼ 10.00 ACRES
SE ¼ SE ¼ 20.00 ACRES
SECTION 6

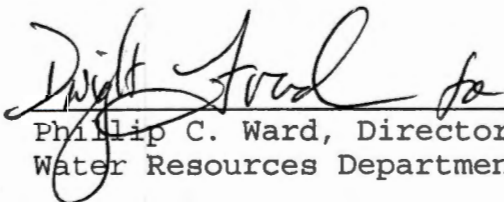
NW ¼ NW ¼ 20.00 ACRES
SE ¼ NW ¼ 4.00 ACRES
SW ¼ NE ¼ 28.66 ACRES
SECTION 8
T 4 S, R 13 E, W.M.

This certificate 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.

Dorothy Pedersen

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrд.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

Dorothy Pedersen

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrd.state.or.us]
Sent: Monday, April 24, 2006 3:23 PM
To: 'phgge@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: McAllister Ranches

Agent/Contact: Tennessee Engineering Corp / 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)
- GW review (if Δ POA, or POD-to-POA change)
- _____
- Final Deliverable cover sheet
- Itemized Estimate sheet for contractor

Additional things to check:

- All regular application processing fees paid *I think so - check total 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 64

File contents copied by J. Paschke Date 4/19/06

**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--1 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

	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 ½ 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**

Transfer # 9990

Applicant: McAllister Ranches

The following 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 entirely affected by the transfer)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- Marked copy of transfer application
- (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.
- Signature of Contractor:** _____ **Date:** _____

For WRD 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)*:

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	T-9990
<input type="checkbox"/>	Certificate Request	_____
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	McAllister Ranch William McAllister	Tenneson Engineering Corp. Attn: Larry Toll
Address:	80445 Ross Road	409 Lincoln Street
	Tygh Valley, OR 97063	The Dalles, OR 97058
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)* Applicant Applicant's Representative Other *(Please specify)* _____

Signature: William R McAllister Pres Name: _____

OWRD USE ONLY	
Contractor Assigned:	<u>Pacific Hydro</u> Total Amount Paid: \$ <u>125</u>
OWRD Approval:	

RECEIVED

Revised: 6/21/2004

APR 18 2006

WATER RESOURCES DEPT
SALEM, OREGON

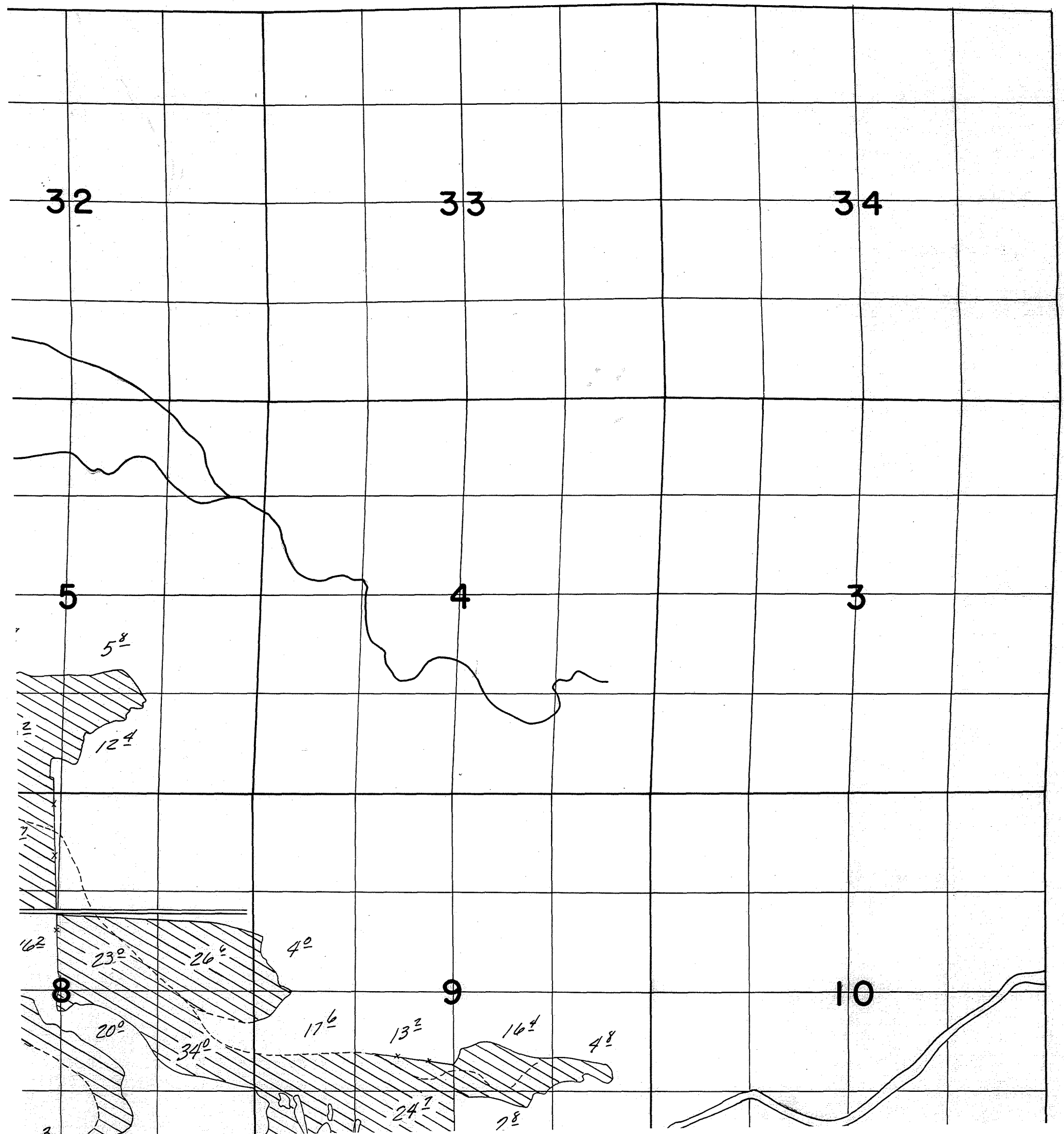
BADGER IMPROVEMENT DISTRICT

FINAL PROOF SURVEY

APPLICATION NO. 34734 PERMIT NO. 27390

SURVEYED

NOV. & DEC., 1975 BY T. PAUL



From S-34734 FP map

REGON STATE GAME COMMISSION

FINAL PROOF SURVEY

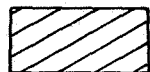
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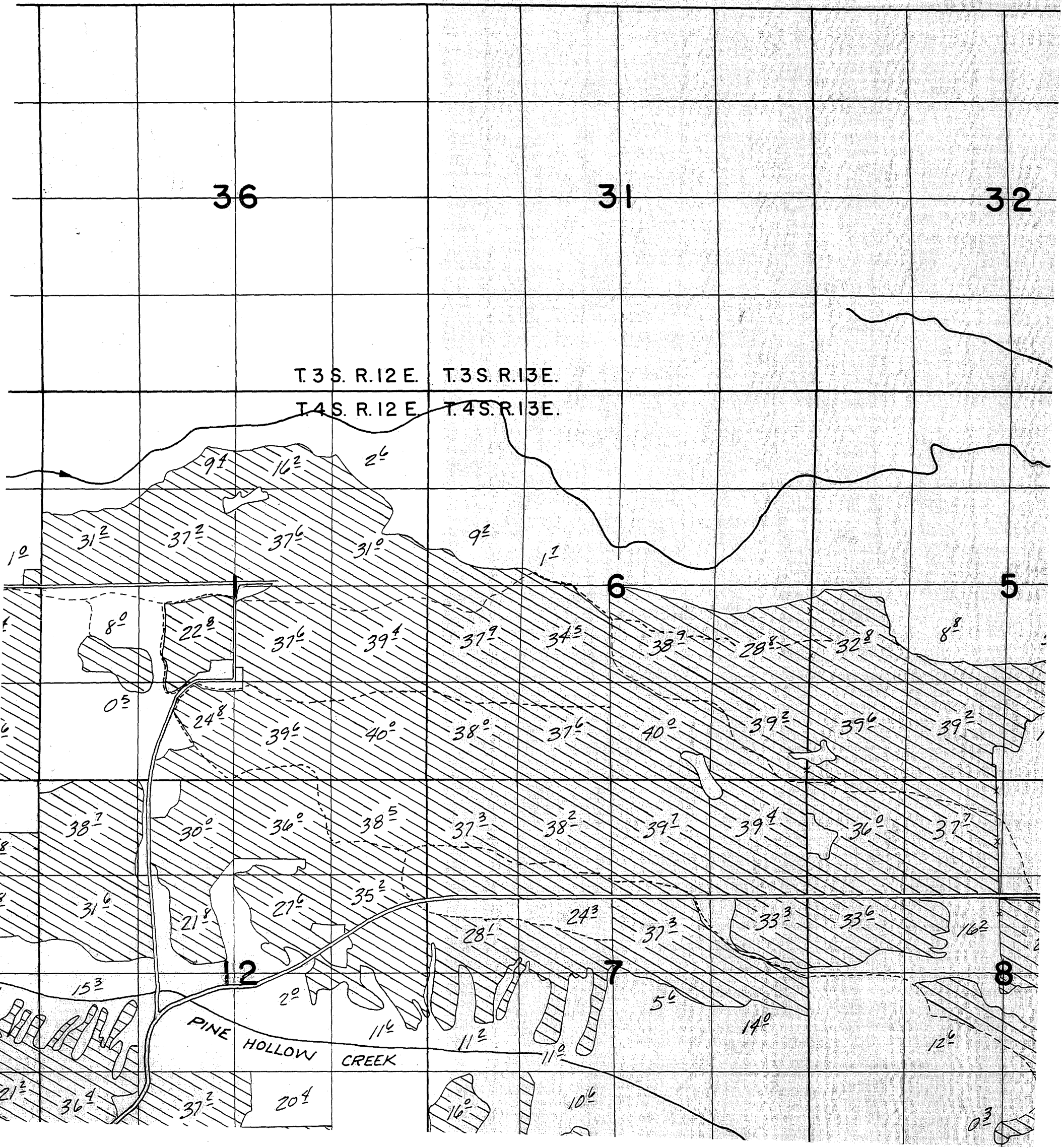
NOV. & DEC., 1975 BY T. PAUL



Directly Benefited



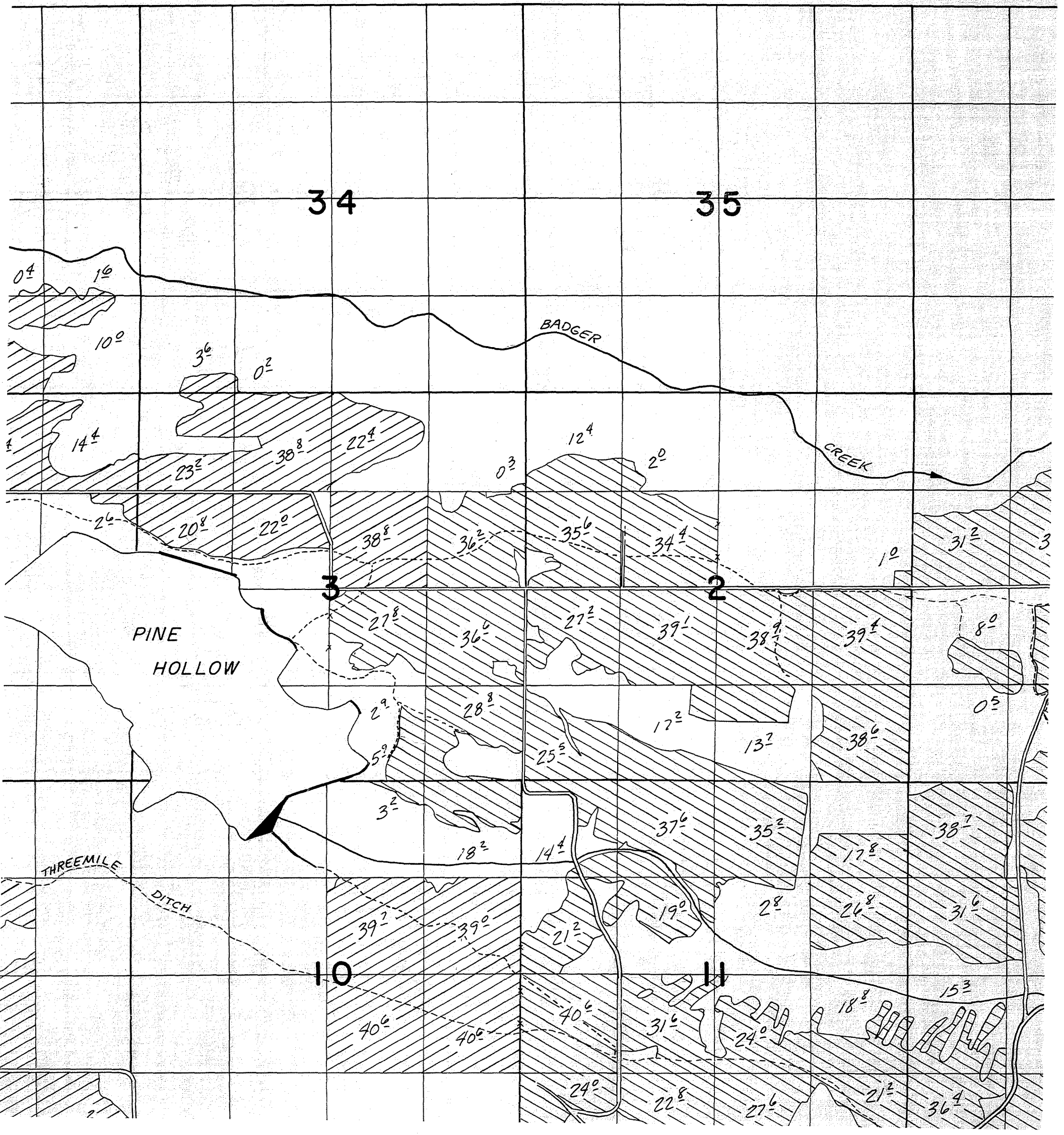
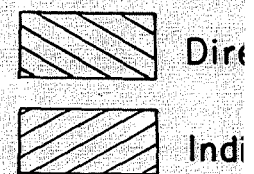
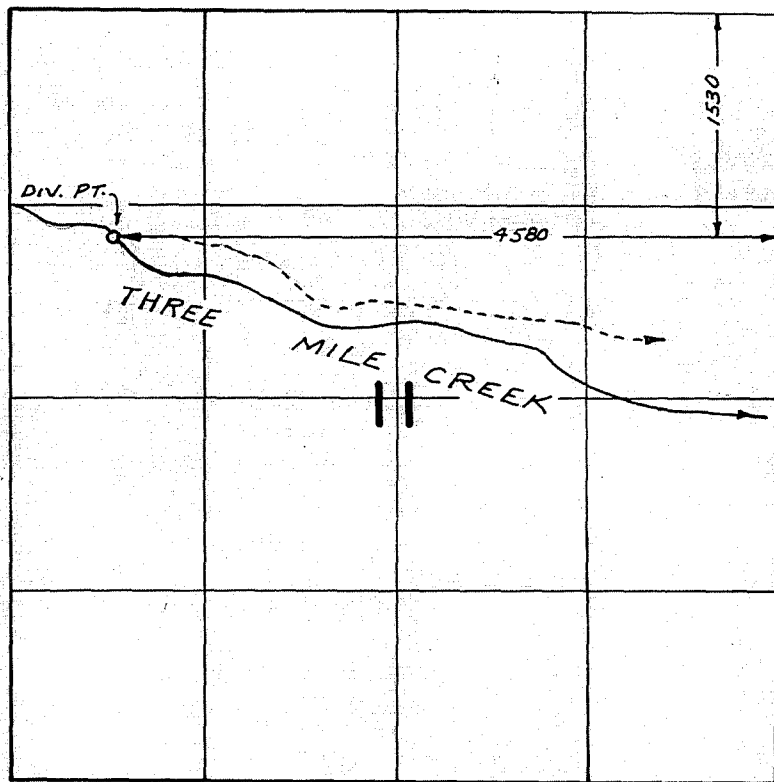
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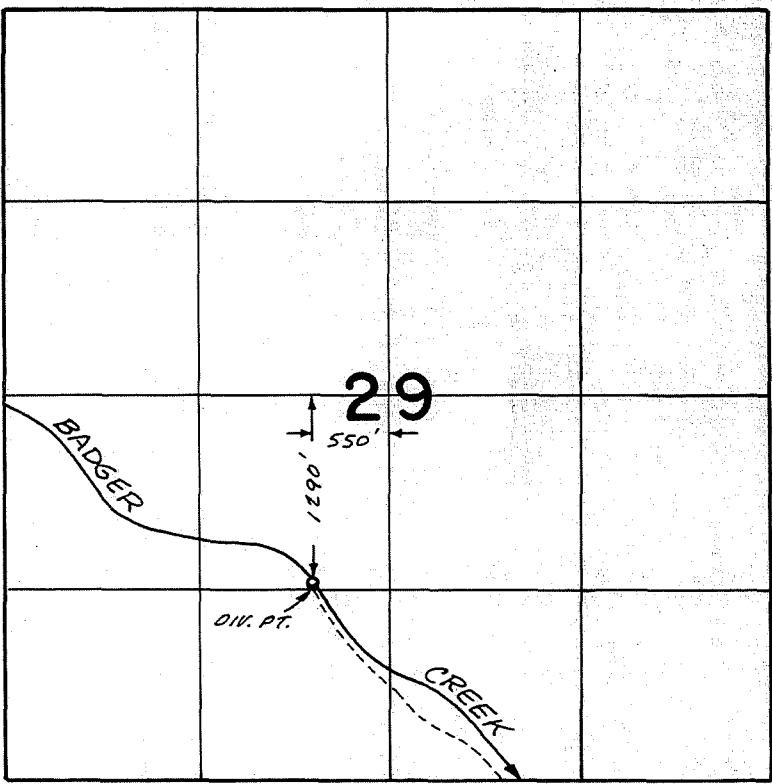
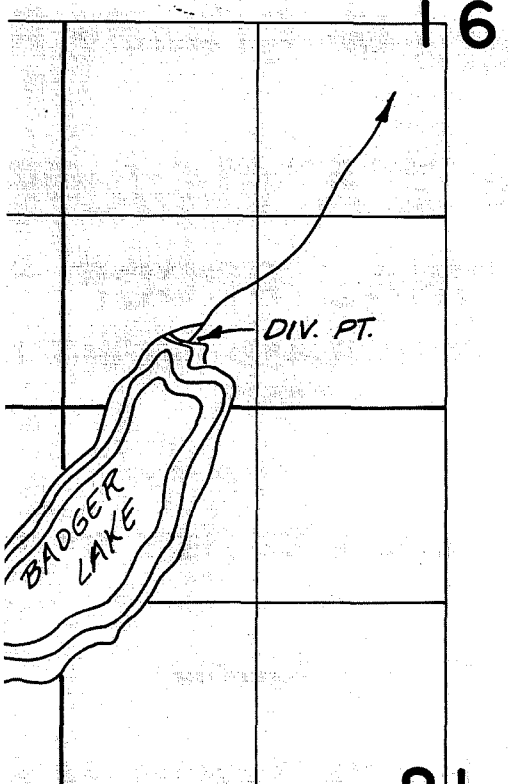


PINE HOLLOW & OREGON S

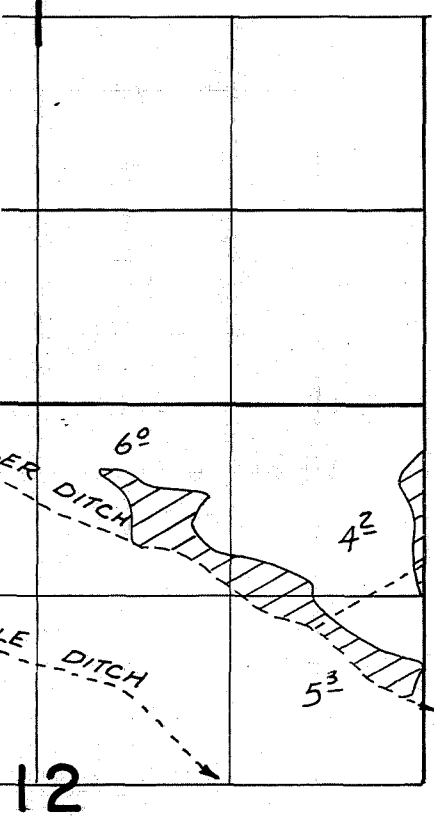
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APPLICATION M

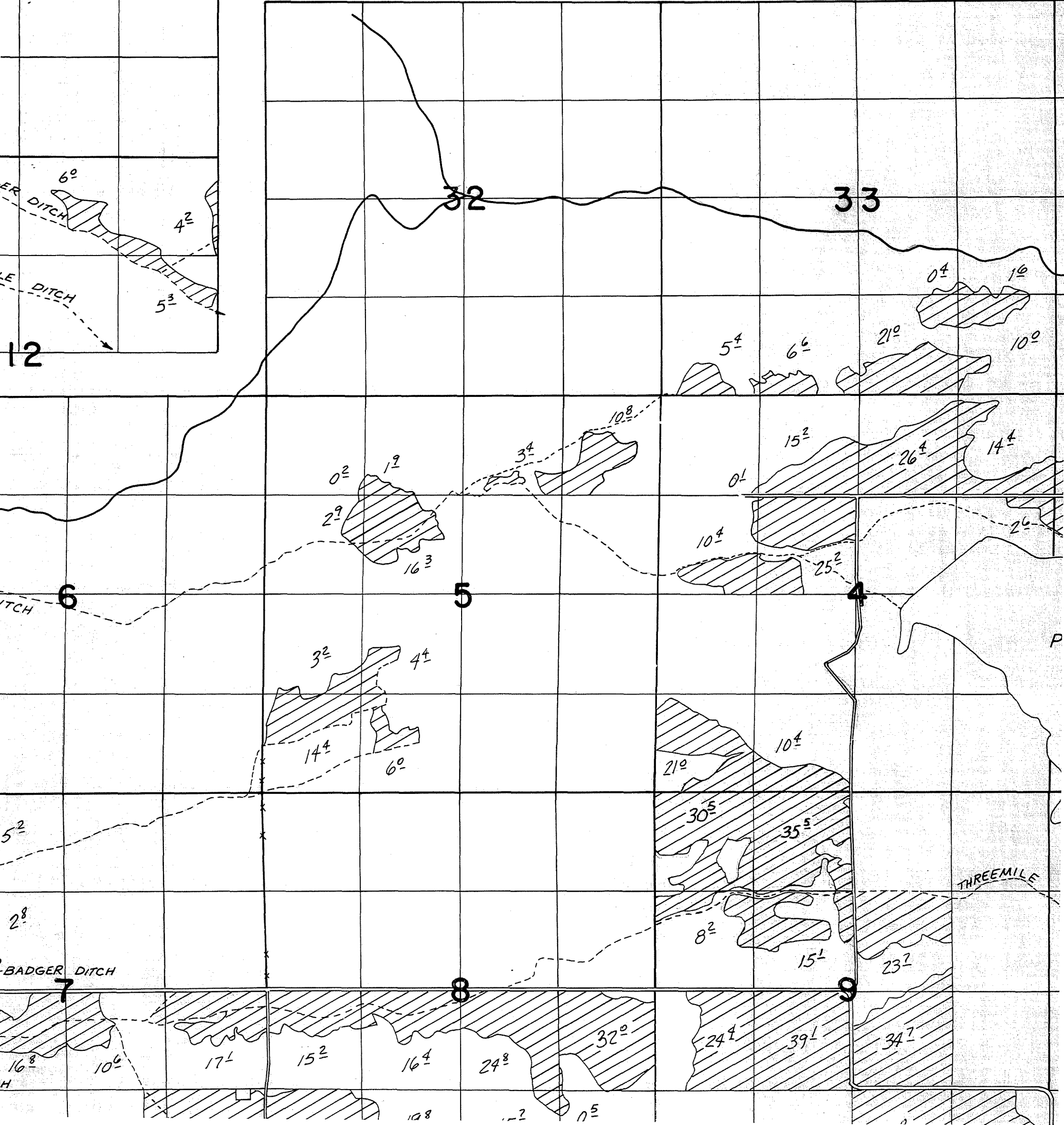




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 S. R. 11 E.

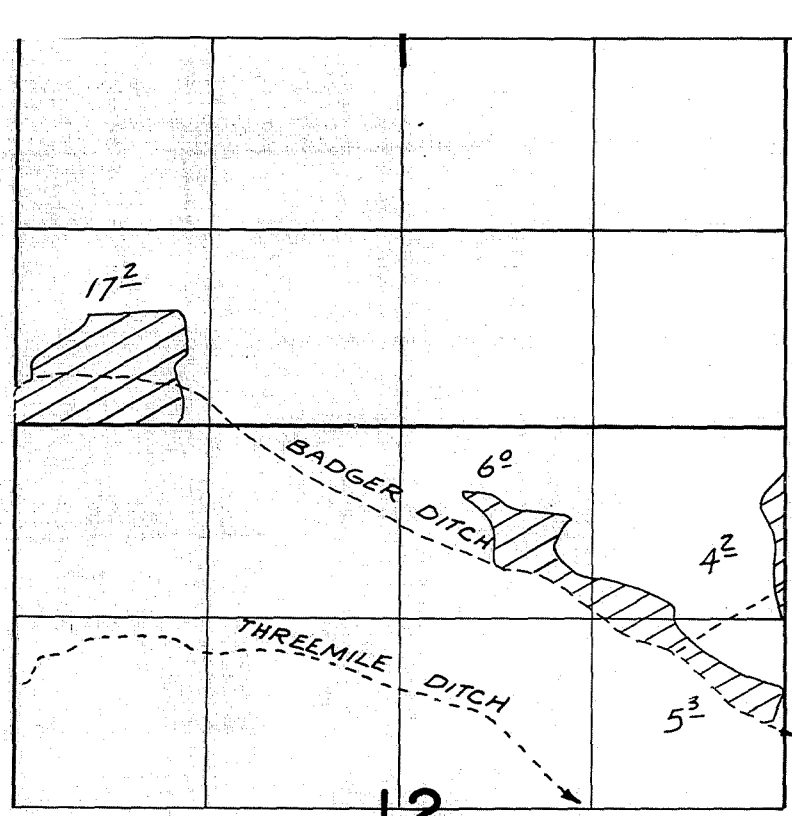


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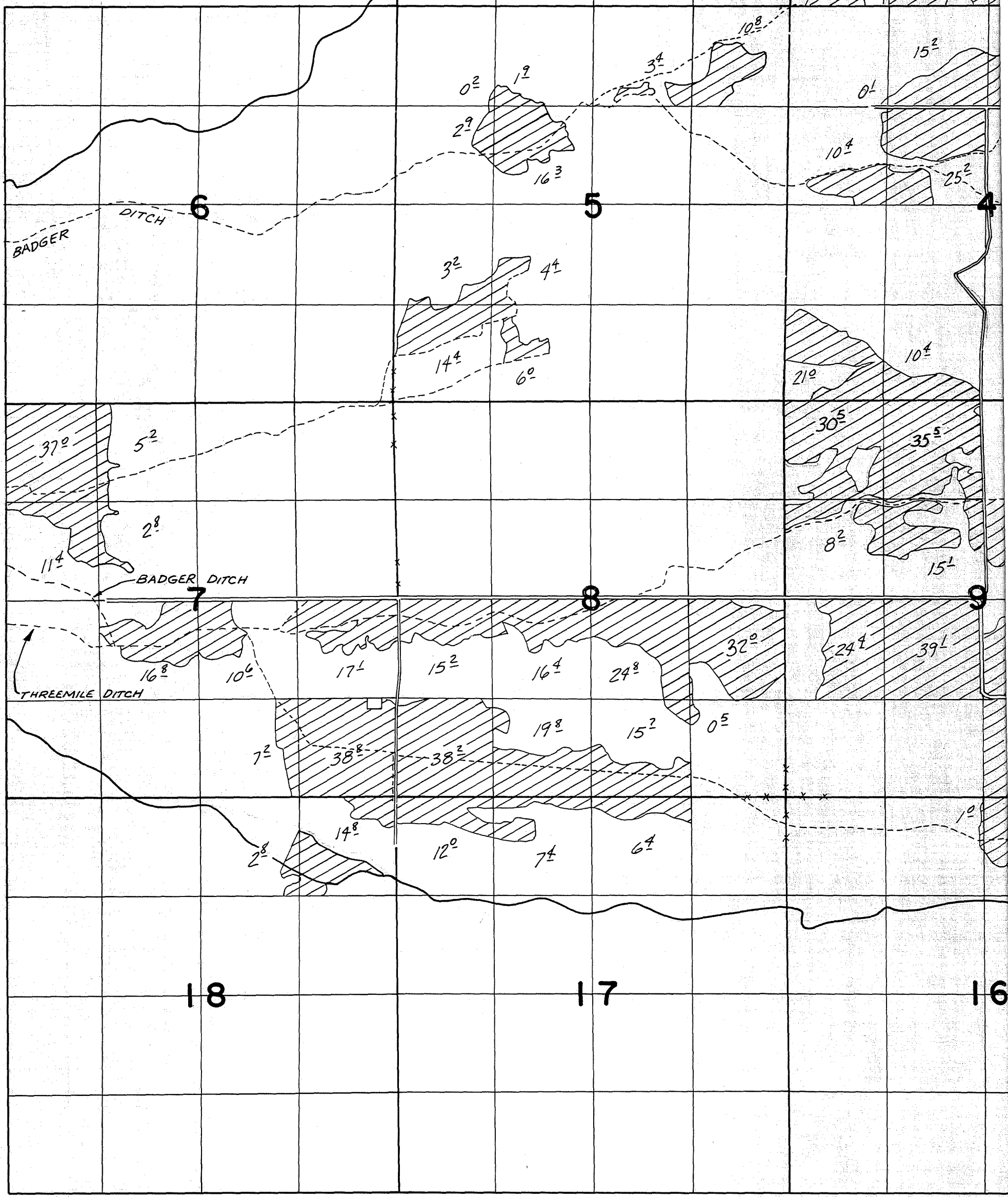
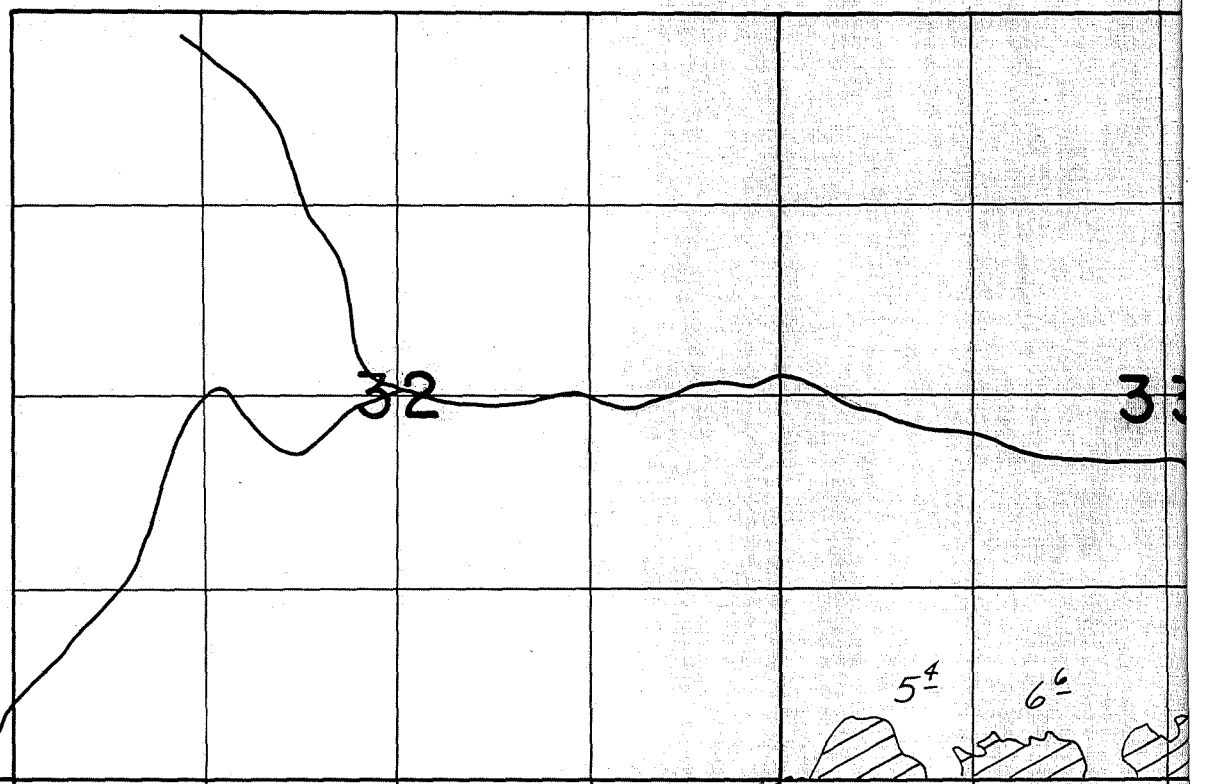


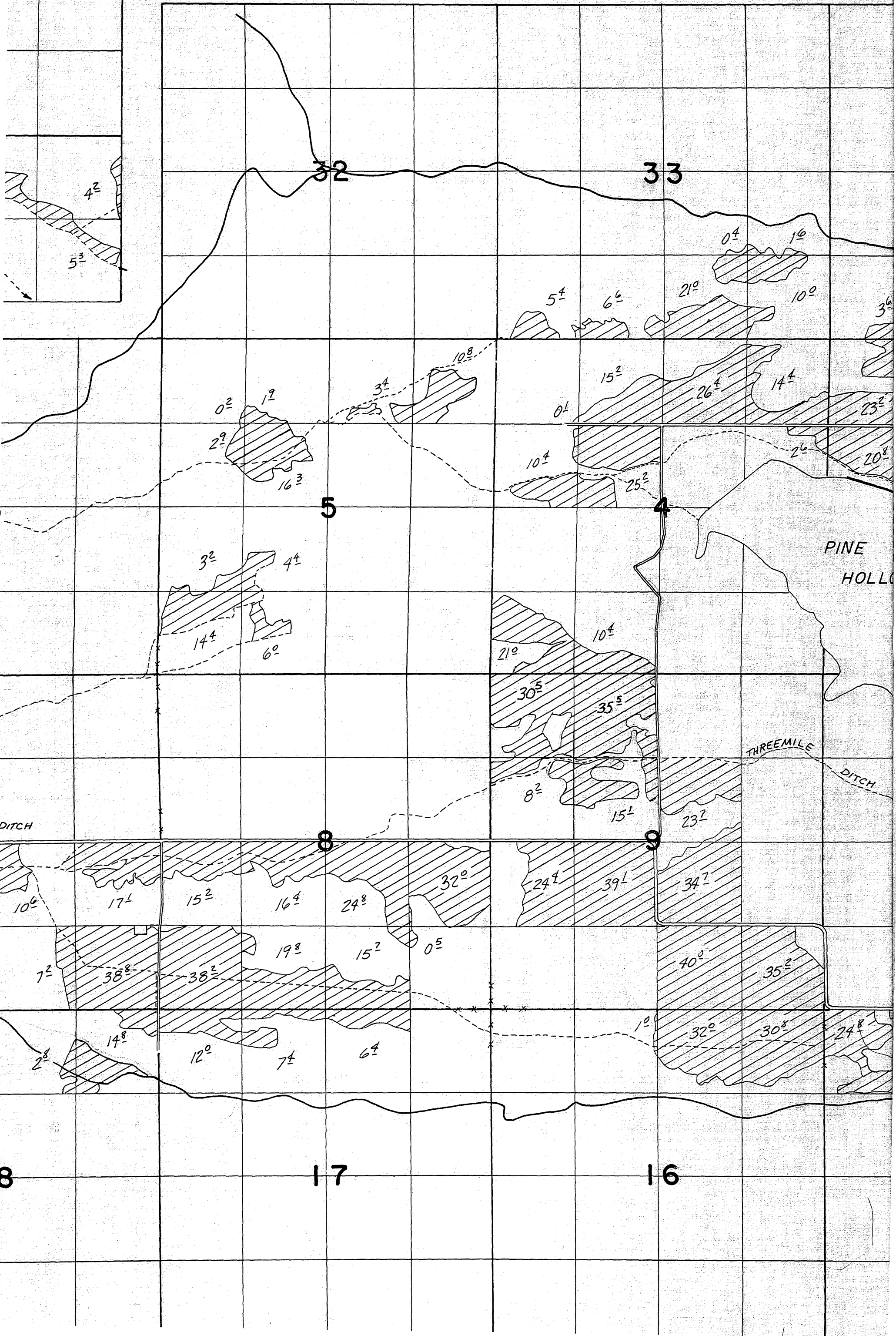
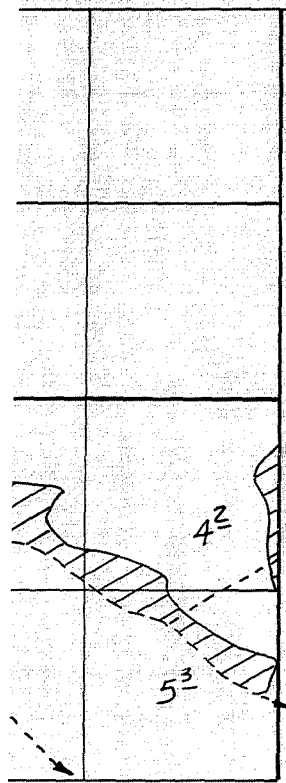
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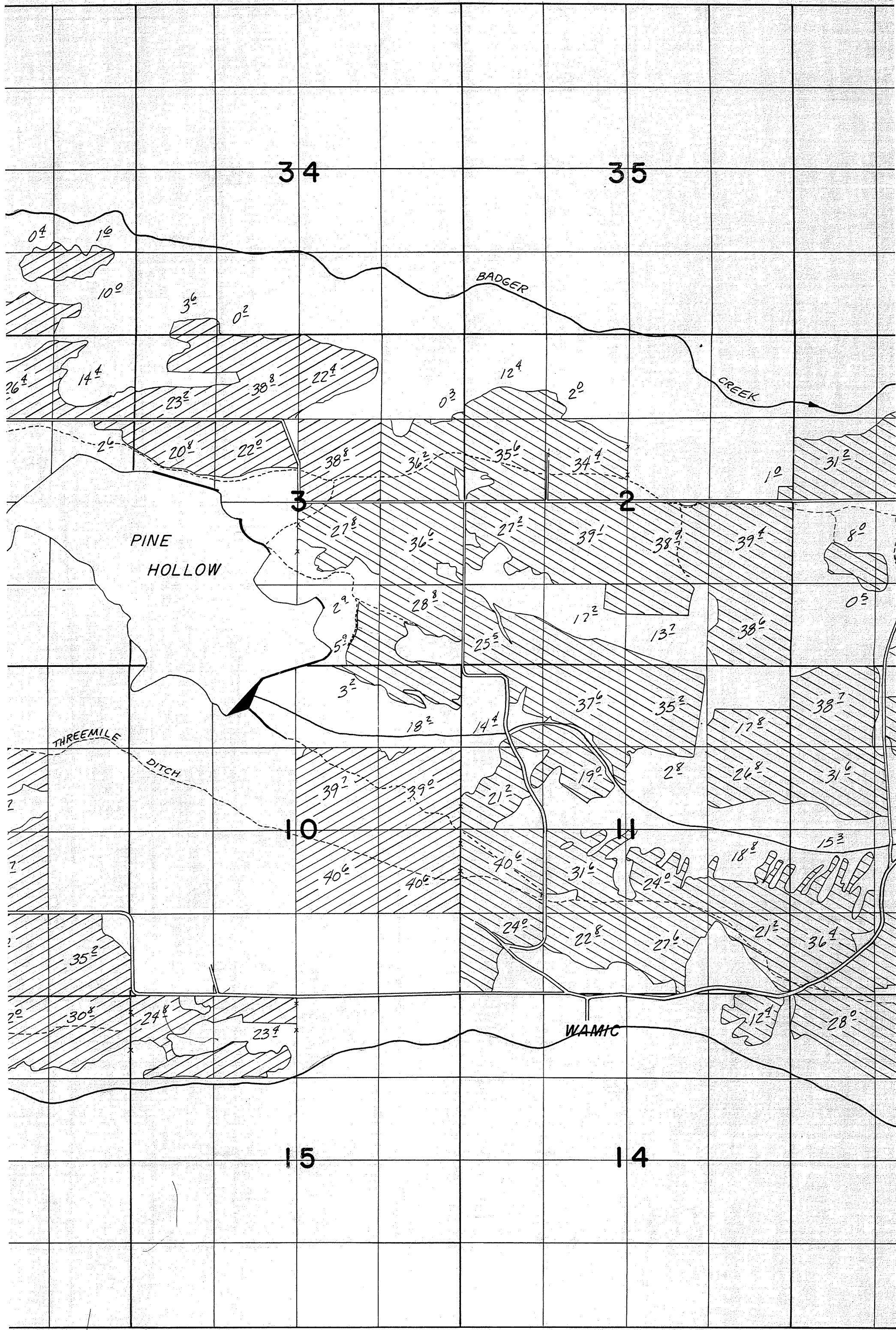
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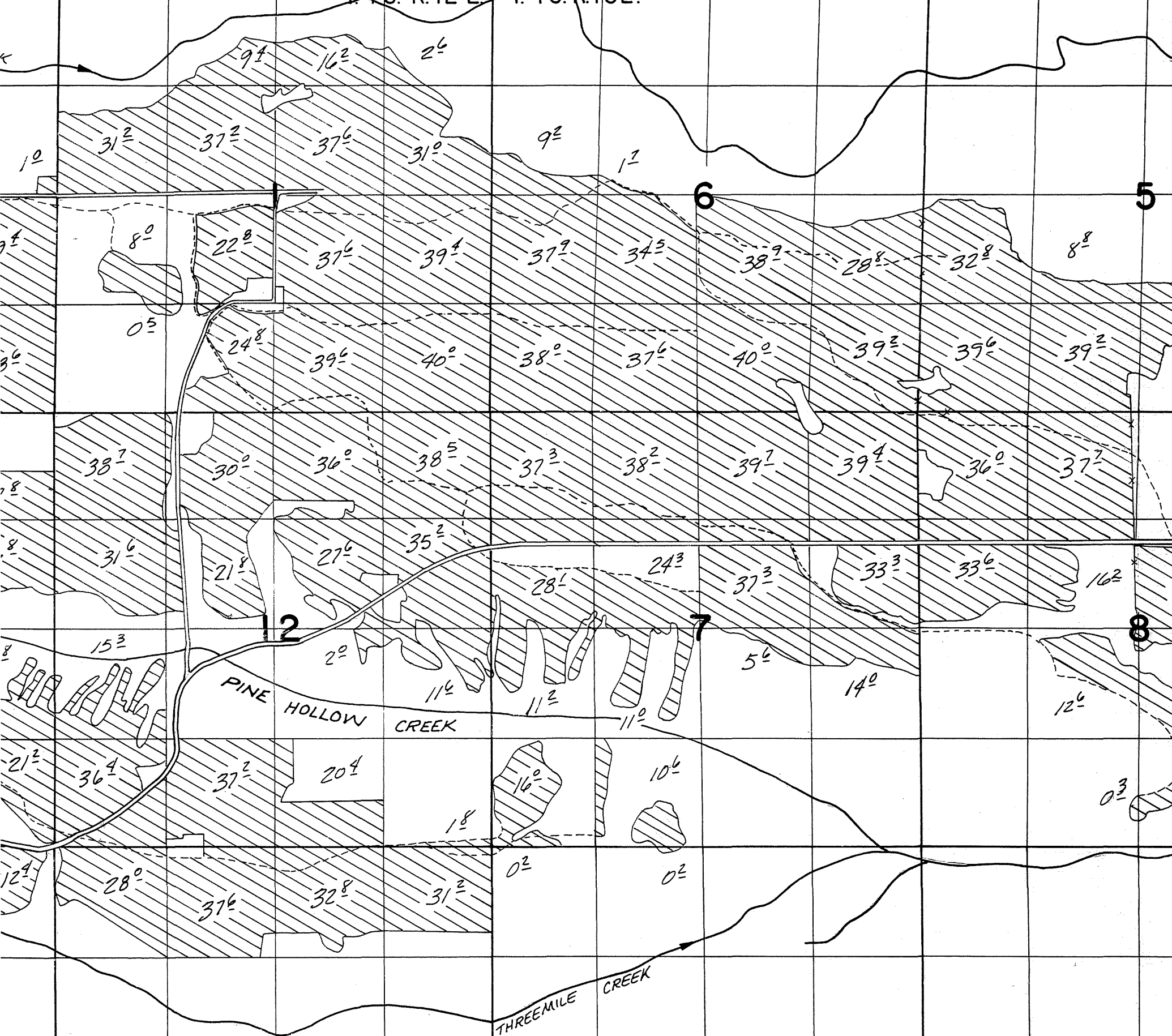
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T.3 S. R.12 E. T.3 S. R.13 E.

T.4 S. R.12 E. T.4 S. R.13 E.



12

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PINE HOLLOW CREEK

THREEMILE CREEK

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