

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 $\frac{1}{4}$ 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 $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	16.2 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	14.8 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	19.0 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	16.9 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.6 ACRE	SECTION 3	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.4 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	22.0 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	25.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	19.6 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	7.8 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	19.4 ACRES	SECTION 4	
SECTION 1		NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.0 ACRE	NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.9 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.3 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.3 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	21.9 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	3.6 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.6 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.9 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.5 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	13.2 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	29.4 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.8 ACRES
SECTION 2		SECTION 5	

SUPERSEDED BY
 T-102284.71P.157
 T-99904.71P.171
CERT. NO. 82337
 Superseded by
 Cert. No. 82674
 82974
SUPERSEDED BY
CERT. NO. 88421
 Canceled due to
 T-8080; Sp. Or.
 Vol. 71 P. 192
 Superseded by
 Cert. No. 82974

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