

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
SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.60 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	19.10 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	8.80 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.20 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$	21.90 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	8.00 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.50 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.20 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	29.35 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

NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.00 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	12.40 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.60 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	7.10 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	23.70 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.90 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	8.80 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	38.90 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.20 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	9.20 ACRES

SECTION 2

T-102284.71 P.157  
T-99904.71 P.171

Cancelled due to  
T-8080; Sp. Or.  
Vol 71, P. 192

Superseded by  
Cert. No. ~~82973~~

SUPERSEDED BY  
CERT. NO. 88422

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

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.

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