

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 use the waters of BADGER CREEK AND RESERVOIR, constructed under Permit R-773, tributaries of the WHITE RIVER, for IRRIGATION of 24.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 1.6 ACRES.

This right was perfected under Permit 27390. The date of priority is MARCH 22, 1961. This right is limited to a diversion of 0.28 cubic foot per second or its equivalent in case of rotation, measured at the point of diversion from the source.

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 second foot 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 per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit Number 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 points of diversion are located as follows:

SW 1/4 SW 1/4, SECTION 16, TOWNSHIP 3 SOUTH, RANGE 10 EAST, W.M.;
400 FEET NORTH AND 800 FEET EAST FROM SW CORNER, SECTION 16.

NE 1/4 SW 1/4, SECTION 29, TOWNSHIP 3 SOUTH, RANGE 11 EAST, W.M.;
1290 FEET SOUTH AND 550 FEET WEST FROM C 1/4 CORNER, SECTION 29.

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
LOT 4 (SW 1/4 SW 1/4)	4.1 ACRES	
SE 1/4 SW 1/4		1.6 ACRES
SECTION 7		
NE 1/4 NW 1/4	0.8 ACRE	
NW 1/4 NW 1/4	19.8 ACRES	
SECTION 18		
TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.		

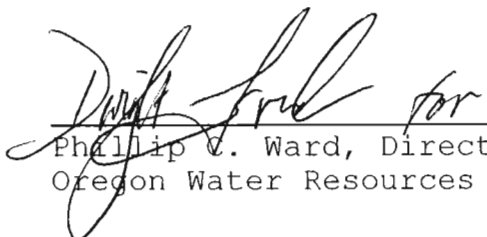
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered NOVEMBER 27, 1979, approving Transfer Application 4314, together with orders entered APRIL 22, 1981, approving Transfer Application 4704, JANUARY 19, 1982, approving Transfer Application 4800, JUNE 14, 1985, approving Transfer Application 5551, JUNE 14, 1985, approving Transfer Application 5553, JUNE 4, 1999, approving Transfer Application 8215, and Certificate 76223, supersedes Certificate 46531, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed

DEC 01 2006



 Phillip C. Ward, Director
 Oregon Water Resources Department

Recorded in State Record of Water Right Certificates Number 82776.