

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 377.15 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 used beneficially, and shall not exceed 4.715 CUBIC FEET PER SECOND, or its 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	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

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, or its equivalent for each acre irrigated, 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. 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. 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 description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	12 E	WM	33	SW SE	4.50
3 S	12 E	WM	33	SE SE	16.50
4 S	11 E	WM	12	NE NE	0.30
4 S	11 E	WM	12	NW NE	8.90
4 S	11 E	WM	12	SW NE	6.00
4 S	12 E	WM	1	SE NE	8.90
4 S	12 E	WM	1	SW NW	7.25
4 S	12 E	WM	1	NE SE	0.05
4 S	12 E	WM	1	NW SE	5.70
4 S	12 E	WM	1	SW SE	8.00
4 S	12 E	WM	1	SE SE	1.20
4 S	12 E	WM	2	SE NE	0.25
4 S	12 E	WM	2	SE NW	23.00
4 S	12 E	WM	2	NE SW	8.40
4 S	12 E	WM	2	SW SW	3.60
4 S	12 E	WM	2	NE SE	13.10
4 S	12 E	WM	3	SW NE	10.50

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	3	NE SE	16.00
4 S	12 E	WM	3	SE SE	2.00
4 S	12 E	WM	5	NE NE	13.50
4 S	12 E	WM	5	NW NE	3.50
4 S	12 E	WM	7	NW NW	3.50
4 S	12 E	WM	7	SW NW	7.20
4 S	12 E	WM	7	SE NW	2.30
4 S	12 E	WM	7	NE SW	12.00
4 S	12 E	WM	8	SE SW	2.80
4 S	12 E	WM	8	NE SE	2.00
4 S	12 E	WM	8	NW SE	20.80
4 S	12 E	WM	9	NE NW	8.00
4 S	12 E	WM	11	NW NE	1.60
4 S	12 E	WM	11	NE NW	7.90
4 S	12 E	WM	11	NW NW	4.20
4 S	12 E	WM	11	NW SW	10.10
4 S	12 E	WM	11	SW SW	7.50

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	12	NW NE	13.00
4 S	12 E	WM	12	SW NE	4.20
4 S	12 E	WM	12	NW NW	18.00
4 S	12 E	WM	12	SW NW	5.50
4 S	12 E	WM	15	NE NW	4.00
4 S	12 E	WM	15	NW NW	12.50
4 S	12 E	WM	16	NW SW	2.00
4 S	12 E	WM	17	NE NW	4.20
4 S	12 E	WM	17	NE SE	11.00
4 S	13 E	WM	5	SW SW	11.20

Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	13 E	WM	5	SE SW	3.00
4 S	13 E	WM	6	SW NW	4.60
4 S	13 E	WM	6	NE SW	2.10
4 S	13 E	WM	6	NW SW	2.10
4 S	13 E	WM	6	SW SE	1.80
4 S	13 E	WM	6	SE SE	8.30
4 S	13 E	WM	7	NE NE	3.00
4 S	13 E	WM	7	SE NE	11.00
4 S	13 E	WM	9	NW SW	3.50
4 S	13 E	WM	9	SW SW	1.10

This certificate describes that portion of the water right confirmed by Certificate 80637, State Record of Water Right Certificates, NOT modified by the provisions of three orders of the Water Resources Director entered FEB 12 2007 approving Transfer Applications T-8080, T-9990 and T-10228.

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.

WITNESS the signature of the Water Resources Director, affixed FEB 12 2007.


 Phillip C. Ward, Director *FOX*