

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

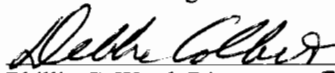
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	12 E	WM	5	NE NE	13.00
4 S	12 E	WM	5	SE NW	10.38
4 S	12 E	WM	7	SW NW	7.00
4 S	12 E	WM	7	SE NW	2.00
4 S	12 E	WM	7	NE SW	8.95
4 S	12 E	WM	7	SE SE	16.22
4 S	12 E	WM	8	SW SW	8.00
4 S	12 E	WM	8	NW SE	12.45
4 S	12 E	WM	9	NW NW	4.00
4 S	12 E	WM	9	SW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