

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANK L. AND BETTY M. NIMS
21980 SW AEBISCHER ROAD
SHERWOOD, OREGON 97140

confirms the right to use the waters of A RESERVOIR CONSTRUCTED UNDER APPLICATION NO. R-45417, PERMIT NO. R-5367, a tributary of CHICKEN CREEK, for SUPPLEMENTAL IRRIGATION OF 12.35 ACRES.

This right was perfected under Permit 33903. The date of priority is SEPTEMBER 24, 1968. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.26 ACRE FOOT STORED WATER ONLY or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 26, T 2 S, R 2 W, W.M.; 1130 FEET NORTH AND 460 FEET WEST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 26.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to to a diversion of not to exceed 2 $\frac{1}{2}$ acre-feet 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.

A description of the place of use to which this right is appurtenant is as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.55 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.80 ACRES
SECTION 26
TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 43537, State Record of Water Right Certificates, NOT cancelled by the provisions of an order of the Water Resources Director entered DEC 09 1998, approving Transfer Application 6707.

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 DEC 09 1998.

/s/ Tom Paul (for)
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75882.

T-6707.PKS