

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARGARETHA & F.C. NOOTNAGLE and J.W. BERRY
SISTERS, OR 97759

confirms the right to use the waters of COLD SPRINGS, TROUT CREEK, AND NOOTNAGLE RESERVOIR, for IRRIGATION of 156.97 ACRES.

This right was perfected under Permit 3143. The date of priority is JANUARY 29, 1916. The right is limited to 1.90 CUBIC FOOT PER SECOND (CFS) 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 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 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year and 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:

NE¼ SW¼ 40.00 ACRES
NW¼ SW¼ 36.97 ACRES
NW¼ SE¼ 40.00 ACRES
SW¼ SE¼ 40.00 ACRES

SECTION 28
TOWNSHIP 14 SOUTH, RANGE 10 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 52184, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered MAR 22 1999, canceling a portion of said water right.

The issuance of this superseding certificate does not confirm the status of the water right in regards 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 MAR 22 1999.

/s/ MARTHA O. PAGEL

Martha O. Pagel, Director