

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

DOUG AND BETSY STAFF  
21820 SW AEBISCHER ROAD  
SHERWOOD, OREGON 97140

confirms the right to use the waters of AN UNNAMED SPRING, a tributary of CHICKEN CREEK, for IRRIGATION OF 1.75 ACRES.

This right was perfected under Permit 28955. The date of priority is JULY 12, 1963. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS THE BEING WITHIN THE SE 1/4 SW 1/4 SECTION 26, TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.; 1090 FEET NORTH AND 340 FEET WEST FROM THE S 1/4 CORNER OF SECTION 26), 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 1/4 SW 1/4, SECTION 26, TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.; 668 FEET NORTH AND 872 FEET WEST FROM THE N 1/4 CORNER OF SECTION 35.

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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 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.

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

	<u>TRACT A</u>	<u>TRACT B</u>	<u>TRACT C</u>
SE 1/4 SW 1/4	0.5 ACRE	0.5 ACRE	0.75 ACRE
	SECTION 26		
	TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.		

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

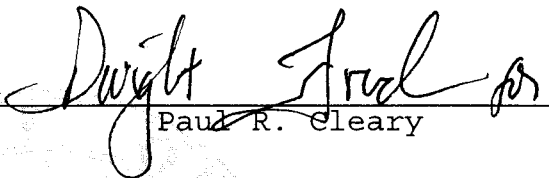
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered December 9, 1998, and together with Certificate 75881, supersedes Certificate 43526, State Record of Water Right Certificates.

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 February 28, 2003.

  
Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79920.