

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE IS ISSUED TO

MERRILL L NASH  
 HC 67 BOX 100  
 PRINEVILLE OR 97754

confirms the right to use the waters of the CROOKED RIVER, a tributary of the DESCHUTES RIVER for the purpose of LIVESTOCK, DOMESTIC, and IRRIGATION of 88.7 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for Crook County, the said decree entered at Salem, in the Order Record of the Water Resources Director, in Volume 1 at Page 449. The date of priority is 1891. This right is limited to an amount actually beneficially used, and shall not exceed a reasonable amount for stock and domestic use, and 1.48 CFS for irrigation, or its equivalent in case of rotation, measured at the point of diversion from the source. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The point of diversion is located as follows:

| Twp | Rng | Mer | Sec | 1/4 | 1/4 | Legal Description |    |   |
|-----|-----|-----|-----|-----|-----|-------------------|----|---|
| 15  | S   | 16  | E   | WM  | 36  | SE                | NE | 1550 FEET SOUTH & 40 FEET WEST FROM NE CORNER, SECTION 36   |
| 15  | S   | 16  | E   | WM  | 36  | SW                | SE | 5260 FEET SOUTH & 1960 FEET WEST FROM NE CORNER, SECTION 36 |
| 16  | S   | 15  | E   | WM  | 1   | SW                | SE | 100 FEET NORTH & 1500 FEET EAST FROM SE CORNER, SECTION 1   |

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-SIXTIETH of one cubic foot per second or its equivalent, and 6 acre-feet per acre irrigated during the irrigation season of each year.

The right to the use of the water for the above purposes 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:

| Twp | Rng | Mer | Sec | 1/4 | 1/4 | Acres      |
|-----|-----|-----|-----|-----|-----|------------|
| 15  | S   | 15  | E   | WM  | 36  | SW NE 0.5  |
| 15  | S   | 15  | E   | WM  | 36  | SE NE 16.3 |
| 15  | S   | 15  | E   | WM  | 36  | NE SE 26.3 |
| 15  | S   | 15  | E   | WM  | 36  | NW SE 8.2  |
| 15  | S   | 15  | E   | WM  | 36  | SW SE 6.0  |
| 15  | S   | 15  | E   | WM  | 36  | SE SE 2.8  |
| 15  | S   | 16  | E   | WM  | 30  | NW SW 6.4  |
| 15  | S   | 16  | E   | WM  | 30  | SW SW 10.3 |
| 15  | S   | 16  | E   | WM  | 31  | NW NW 3.6  |
| 15  | S   | 16  | E   | WM  | 31  | SW NW 8.1  |
| 15  | S   | 16  | E   | WM  | 31  | NW SW 0.2  |

This certificate describes that portion of the water right confirmed by Certificate 68325, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 28 2005, approving Transfer Application 6969.

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 Directory, affixed FEBRUARY 28, 2005

  
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Phillip C. Ward, Director