

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Shotgun Ranch LLC
2730 Nightfall
Bend, OR 97701

confirms the right to use the waters of Shotgun Creek and Drake Creek, tributaries of Crooked River, for irrigation of 32.0 acres, stock and domestic use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Crook County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at page 449. The priority of the right dates from the year 1889 for the waters of Shotgun Creek, and from the year 1903 for the waters of Drake Creek.

The amount of water to which this right is entitled is limited to an amount actually beneficially used from February 1st to December 1st of each year, and shall not exceed 0.25 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion on Shotgun Creek, and shall not exceed 0.15 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion on Drake Creek.

The points of diversion are located as follows:

Shotgun Creek: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, T17S, R20E, W.M.; 1,940 feet South and 100 feet West from the N $\frac{1}{4}$ corner, Section 9.

Drake Creek: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, T17S, R20E, W.M.; Ream Ditch.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

Shotgun Creek

10.3 acres NW¼ SE¼
10.0 acres SW¼ SE¼

SECTION 4

TOWNSHIP 17 SOUTH, RANGE 20 EAST, W.M.

Drake Creek

11.7 acres NW¼ SE¼
SECTION 4

TOWNSHIP 17 SOUTH, RANGE 20 EAST, W.M.

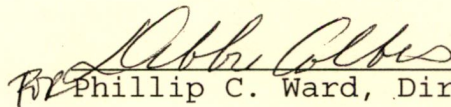
This certificate describes that portion of the water right confirmed by Certificate 515, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered June 22, 2006, approving Transfer Application T-9908, correcting the season of use for the right, and specifying the place of use of water from each source stream.

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.

WITNESS the signature of the Water Resources Director,

affixed June 22, 2006.



Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81673.