

This is a final order in other than a 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.

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MERRILL L. NASH  
251 SOUTH LAKE AVENUE, SUITE 606  
PASADENA, CALIFORNIA 91101

confirms the right to use the waters of the CROOKED RIVER, a tributary of the DESCHUTES RIVER, for IRRIGATION OF 104.8 ACRES.

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 date of priority is 1891.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.75 CUBIC FEET PER SECOND (CFS); BEING 0.61 CFS FROM POD 11 AND 1.14 CFS FROM POD A, if available at the original point of diversion; STEARNS DAM - SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 1, T 16 S, R 15 E, WM; 100 FEET NORTH AND 1500 FEET WEST FROM THE SE CORNER, SECTION 1, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion (POD) are located as follows:

POD 11 - LOT 2 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ), SECTION 30, T 15 S, R 16 E, WM; 2770 FEET NORTH AND 880 FEET EAST FROM THE SW CORNER, SECTION 30.

POD A - LOT 4 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ), SECTION 30, T 15 S, R 16 E WM; 60 FEET NORTH AND 600 FEET EAST FROM THE SW CORNER OF SECTION 30.

T-6192(52523).LHN

Certificate Number 83442

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-SIXTIETH 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 6.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

## POD 11

	NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE
LOT 1	(NW $\frac{1}{4}$ NW $\frac{1}{4}$ )	2.1 ACRES
LOT 2	(SW $\frac{1}{4}$ NW $\frac{1}{4}$ )	25.0 ACRES
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.5 ACRE
LOT 3	(NW $\frac{1}{4}$ SW $\frac{1}{4}$ )	9.0 ACRES

SECTION 30  
TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

## POD A

	NE $\frac{1}{4}$ NE $\frac{1}{4}$	32.0 ACRES
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.2 ACRES

SECTION 36  
TOWNSHIP 15 SOUTH, RANGE 15 EAST W.M.

LOT 4	(SW $\frac{1}{4}$ SW $\frac{1}{4}$ )	12.2 ACRES
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SECTION 30

LOT 1	(NW $\frac{1}{4}$ NW $\frac{1}{4}$ )	15.2 ACRES
LOT 2	(SW $\frac{1}{4}$ NW $\frac{1}{4}$ )	0.5 ACRE

SECTION 31  
TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.

The quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the original point of diversion.

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

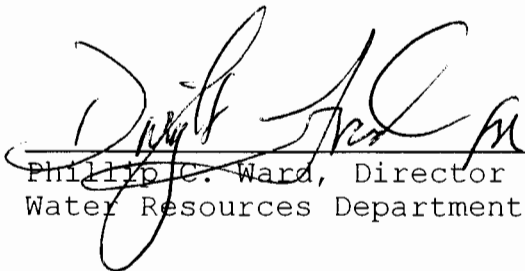
This certificate is issued to confirm changes in points of diversion approved by an order of the Water Resources Director entered August 26, 1993, approving Transfer 6192, and together with Certificate 68325, supercedes Certificate 52523, State Record of Water Right Certificates.

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 and is subject to all other conditions and limitation contained in said decree.

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

AUG 14 2007

  
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Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83442.

T-6192(52523).LHN