

STATE OF OREGON
COUNTY OF KLAMATH
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROGER NICHOLSON CATTLE COMPANY
P.O. BOX 458
FORT KLAMATH, OREGON 97626

confirms the right to use the waters of ANNA CREEK, a tributary of the WOOD RIVER, for IRRIGATION of 158.6 ACRES, DOMESTIC, AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for KLAMATH County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 2, at Page 1. 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 1.98 CUBIC FEET PER SECOND FROM APRIL 1 TO JULY 20 OF EACH YEAR AND THEREAFTER UNTIL THE CLOSE OF THE IRRIGATING SEASON 0.99 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

ANNIE CREEK DITCH.

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

NE 1/4 NE 1/4 39.3 ACRES
NW 1/4 NE 1/4 39.3 ACRES
SW 1/4 NE 1/4 40.0 ACRES
SE 1/4 NE 1/4 40.0 ACRES

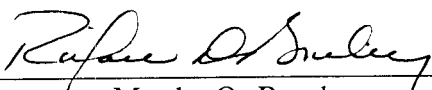
SECTION 20
TOWNSHIP 33 SOUTH, RANGE 7½ EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 6, 1999, and together with Certificate 76151, supersedes Certificate 1090, 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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed October 6, 1999.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76310.