

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 WOOD RIVER, a tributary of AGENCY LAKE, for SUPPLEMENTAL IRRIGATION OF 158.6 ACRES.

This right was perfected under Permit 50171. The date of priority is NOVEMBER 3, 1987. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 3.17 CUBIC FEET 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:

LOT (11), (SE ¼ NW ¼), SECTION 10, T 33 S, R 7 ½ E, W.M.; SOUTH 20° 33 ½' WEST, 2729.6 FEET FROM THE N ¼ CORNER OF SECTION 10.

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-FIFTIETH 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 5.0 acre-feet for each acre irrigated during the irrigation season of each year. The right allowed herein is limited to making up any deficiency in the available supply of water from Anna Creek allowed under existing rights for the same land and to bring the quantity of water to the full duty allowed from Wood River.

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:

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

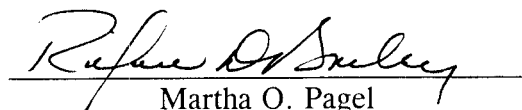
SECTION 20
TOWNSHIP 33 SOUTH, RANGE 7 ½ EAST, W.M.

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 76153, supersedes Certificate 64962, 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 October 6, 1999.


Martha O. Pagel

T-7955B.SB

Recorded in State Record of Water Right Certificates numbered 76311.