

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 UPPER KLAMATH LAKE, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 158.6 ACRES.

This right was perfected under Permit 6981. The date of priority is OCTOBER 29, 1924. 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 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 7½ E, W.M.

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-EIGHTIETH 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 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:

SE 1/4 SW 1/4 40.0 ACRES
SW 1/4 SW 1/4 38.6 ACRES
SECTION 20

NE 1/4 NW 1/4 40.0 ACRES
NW 1/4 NW 1/4 40.0 ACRES
SECTION 29

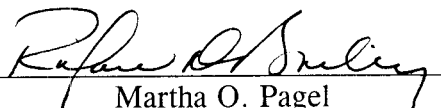
TOWNSHIP 33 SOUTH, RANGE 7½ EAST, W.M.

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 76152, supersedes Certificate 21861, 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