

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PAUL BRICE WAGNER
SHARON L. WAGNER
42705 WAGNER LANE
P.O. BOX 88
PORT ORFORD, OR 97465

confirms the right to use the waters of ELK RIVER, a tributary of PACIFIC OCEAN, for IRRIGATION OF 36.0 ACRES.

This right was perfected under Permit 39065. The date of priority is MARCH 21, 1975. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.45 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:

SE 1/4 NW 1/4, SECTION 27, TOWNSHIP 32 SOUTH, RANGE 15 WEST, W.M.; 2769 FEET NORTH AND 649 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 27.

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 2 1/2 acre-feet per acre 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 NW 1/4	3.2 ACRES
NE 1/4 SW 1/4	21.2 ACRES
NW 1/4 SW 1/4	0.2 ACRE
SW 1/4 SW 1/4	5.2 ACRES
SE 1/4 SW 1/4	6.2 ACRES

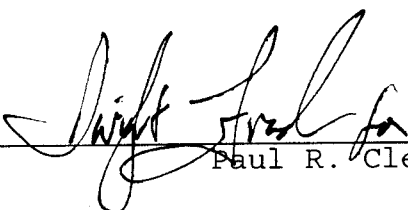
SECTION 27
TOWNSHIP 32 SOUTH, RANGE 15 WEST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered MAY 13, 1997, and supersedes Certificate 53433, State Record of Water Right Certificates.

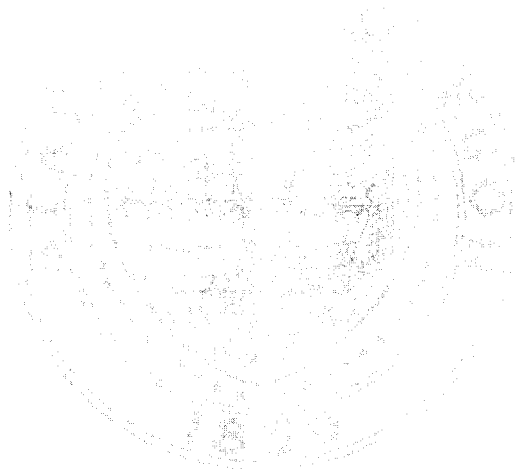
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 March 29, 2002.



Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79433.