

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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD OUTCALT
PO BOX 846
CHILOQUIN, OREGON 97624

confirms the right to use the waters of SPRAGUE RIVER, a tributary of WILLIAMSON RIVER, for IRRIGATION OF 13.2 ACRES.

This right was perfected under Permit 42355. The date of priority is JUNE 1, 1977. This right is limited to 0.33 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 $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 21, T 34 S, R 8 E, W.M.; 1860 FEET SOUTH AND 1000 FEET WEST FROM THE NE CORNER, SECTION 21.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Water Right Holder is hereby put on notice that, because this water right is junior in priority to all other rights on the Klamath River, existing before the date of the filing of application No. 56013, and that the water available might be less than the amount stated herein if runoff in the Klamath River Basin is insufficient to satisfy all rights with senior priority, including those of the United States under its 1905 filing, the Klamath River Compact, or under the decree of a court of competent jurisdiction.

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

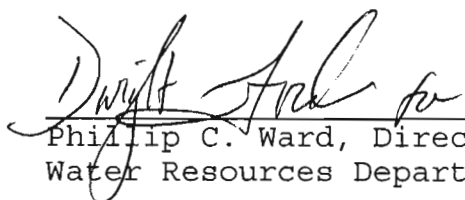
NE¼ NE¼ 7.8 ACRES
SE¼ NE¼ 5.4 ACRES
SECTION 21
TOWNSHIP 34 SOUTH, RANGE 8 EAST, W.M.

In the event that rights are determined in the Klamath Adjudication for the lands, source, and use(s) involved in this right, the Department will, following review of the rights, proceed to modify or cancel those portions of this right duplicated by the decreed right.

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

DEC 06 2006



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82744.