

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

U.S. TIMBERLANDS KLAMATH FALLS LLC  
7680 HAPPY HOLLOW LANE  
BONANZA, OREGON 97623

confirms the right to use the waters of FORKED HORN SPRING STREAM, a tributary of SINK CREEK, for ROAD DUST ABATEMENT.

This right was perfected under Permit 45720. The date of priority is JULY 29, 1980. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.35 CUBIC FEET PER SECOND, and shall be further limited to a diversion of not to exceed 15,000 gallons of water per day or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 9, T 28 S, R 7 E, WM; 150 FEET SOUTH AND 200 FEET EAST FROM THE NW CORNER, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 9.

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

SW $\frac{1}{4}$  NW $\frac{1}{4}$   
NW $\frac{1}{4}$  SW $\frac{1}{4}$   
S $\frac{1}{2}$  SW $\frac{1}{4}$   
SECTION 9

SE $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 12

NW $\frac{1}{4}$  NE $\frac{1}{4}$   
N $\frac{1}{2}$  NW $\frac{1}{4}$   
SECTION 13

N $\frac{1}{2}$  N $\frac{1}{2}$   
SECTION 14

NE $\frac{1}{4}$  NE $\frac{1}{4}$   
SW $\frac{1}{4}$  NE $\frac{1}{4}$   
SW $\frac{1}{4}$   
NW $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 15

NW $\frac{1}{4}$  NE $\frac{1}{4}$   
S $\frac{1}{2}$  NE $\frac{1}{4}$   
NE $\frac{1}{4}$  NW $\frac{1}{4}$   
SECTION 16

W $\frac{1}{2}$  NW $\frac{1}{4}$   
NW  $\frac{1}{4}$  SW  $\frac{1}{4}$   
S $\frac{1}{2}$  SW $\frac{1}{4}$   
SECTION 22

SE $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 23

NE $\frac{1}{4}$  SW $\frac{1}{4}$   
S $\frac{1}{2}$  SW $\frac{1}{4}$   
N $\frac{1}{2}$  SE $\frac{1}{4}$   
SECTION 24

N $\frac{1}{2}$  NE $\frac{1}{4}$   
SW $\frac{1}{4}$  NE $\frac{1}{4}$   
SE $\frac{1}{4}$  NW $\frac{1}{4}$   
N $\frac{1}{2}$  SW $\frac{1}{4}$   
SW $\frac{1}{4}$  SW $\frac{1}{4}$   
SECTION 26

W $\frac{1}{2}$  NE $\frac{1}{4}$   
NE $\frac{1}{4}$  NW $\frac{1}{4}$   
SE $\frac{1}{4}$   
SECTION 27

S $\frac{1}{2}$  SE $\frac{1}{4}$   
SECTION 32

SE $\frac{1}{4}$  NE $\frac{1}{4}$   
N $\frac{1}{2}$  SW $\frac{1}{4}$   
SW  $\frac{1}{4}$  SW  $\frac{1}{4}$   
N $\frac{1}{2}$  SE $\frac{1}{4}$   
SECTION 33

N $\frac{1}{2}$  NE $\frac{1}{4}$   
NE $\frac{1}{4}$  NW $\frac{1}{4}$   
S $\frac{1}{2}$  NW $\frac{1}{4}$   
SECTION 34

NW $\frac{1}{4}$  NW $\frac{1}{4}$   
S $\frac{1}{2}$  NW $\frac{1}{4}$   
N $\frac{1}{2}$  SE $\frac{1}{4}$   
SE $\frac{1}{4}$  SE $\frac{1}{4}$   
SECTION 35

SW $\frac{1}{4}$  SW $\frac{1}{4}$   
SECTION 36  
TOWNSHIP 28 SOUTH,  
RANGE 7 EAST, W.M.

W $\frac{1}{2}$  SW $\frac{1}{4}$   
SECTION 7

SW $\frac{1}{4}$  NW $\frac{1}{4}$   
SECTION 17

S½ NE¼  
N½ NW¼  
SE¼ NW¼  
SECTION 18

SW¼ NE¼  
S½ NW¼  
NW¼ SW¼  
NW¼ SE¼  
SECTION 19  
TOWNSHIP 28 SOUTH,  
RANGE 8 EAST, W.M.

NW¼ NE¼  
S½ NE¼  
NE¼ NW¼  
SECTION 1

NW¼ NE¼  
N½ NW¼  
SECTION 5

N½ NE¼  
SW¼ NE¼  
N½ NW¼  
SE¼ NW¼  
SECTION 6  
TOWNSHIP 29 SOUTH,  
RANGE 7 EAST, W.M.

NW¼ SW¼  
SECTION 6  
TOWNSHIP 29 SOUTH,  
RANGE 8 EAST, W.M.

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 01 2006

  
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Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82746.