

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 H. AND LOIS M. 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 3.9 ACRES.

This right was perfected under Permit 51401. The date of priority is FEBRUARY 4, 1991. This right is limited to 0.08 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.; 1890 FEET SOUTH AND 960 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.

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

NE¼ NE¼ 2.4 ACRES

SE¼ NE¼ 1.5 ACRES

SECTION 21

TOWNSHIP 34 SOUTH, RANGE 8 EAST, W.M.

Diversions screening or fish passage facilities shall be maintained in accordance with Oregon Department of Fish and Wildlife specifications.

Failure to comply with any of the provisions of this water right may result in action including, but not limited to, restrictions on the use or civil penalties, or cancellation of the water right.

This water right is for the beneficial use of water without waste. The user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

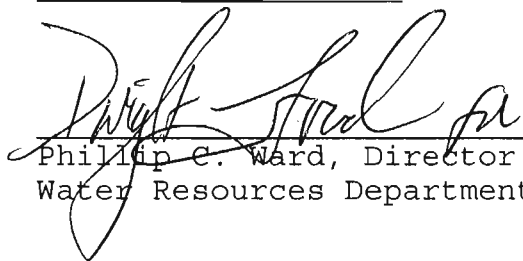
By law, the land use associated with this water use must be in accordance with statewide land-use goals and any local acknowledged land-use plan.

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 82758.