

STATE OF OREGON
 COUNTY OF KLAMATH
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOE C. AND MILDRED L. FOTHERINGHAM
 PO BOX 148
 MERRILL OR 97633

confirms the right to use the waters of A WELL, tributary to LOST RIVER for IRRIGATION of 37.3 ACRES.

This right was perfected under Permit U-353. The date of priority is JULY 26, 1950. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.47 CUBIC FOOT PER SECOND, if available at the original point of appropriation, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	10	NE SE	1720 FEET NORTH AND 575 FEET WEST FROM SE CORNER, SECTION 10

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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 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:

Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	10 E	WM	10	NE SE	3.86
41 S	10 E	WM	10	NW SE	33.44

The quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the quantity of water available from the original point of appropriation, located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	10 E	WM	10	NE SW	NORTH 71 DEGREES 39 MINUTES EAST, 4332.4 FEET FROM S¼ CORNER, SECTION 9

When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

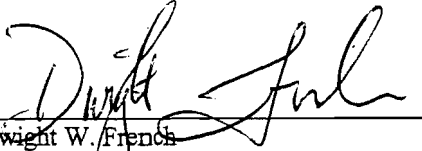
NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an 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.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered December 21, 1993, at Special Order Volume 47, Page 416, approving Transfer Application 6874, and together with Certificate 68355, supersedes Certificate 27531, State record of Water Right Certificates.

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.

Issued SEP 01 2010



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Water Resources Department