

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This Is to Certify, That NEVIN CATTLE CO.

of Star Route, Dairy, State of Oregon, 97625, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of five wells

a tributary of Anderson Creek (Swan Lake) for the purpose of irrigation

under Permit No.U-343 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 19, 1949

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 23.40 cubic feet per second; being 5.98 c.f.s. from Lone Rock Well, 2.41 c.f.s. from Hamaker Well, 4.83 c.f.s. from Liskey Well, 4.89 c.f.s. from Mitchell Well, 5.29 c.f.s. from Swan Lake Well

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NW 1/4 NW 1/4, Section 13; SE 1/2 NE 1/4, Section 23, T. 38 S., R. 10 E., W. M.; NE 1/4 SW 1/4, Section 6; SE 1/2 SE 1/4, Section 7; Lot 3 (NW 1/4 SW 1/4), Section 30, T. 38 S., R. 11 1/2 E., W. M.; Liskey Well-800 feet South and 430 feet East from the NW Corner, Section 13; Swan Lake Junction Well-3225 feet North and 1260 feet West from the SE Corner, Section 23; Lone Rock Well-130 feet North \*

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be 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 3 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Lone Rock Well
13.8 acres SE 1/4 SE 1/4 Section 23
5.6 acres NW 1/4 NW 1/4
16.2 acres SW 1/4 NW 1/4
5.9 acres SE 1/4 NW 1/4
32.0 acres NE 1/4 SW 1/4
8.7 acres NW 1/4 SW 1/4
0.4 acre SW 1/4 SW 1/4
35.6 acres SE 1/4 SW 1/4
0.5 acre NW 1/4 SE 1/4
15.3 acres SW 1/4 SE 1/4 Section 25
27.6 acres NE 1/4 NE 1/4
1.0 acre SE 1/4 NE 1/4 Section 26
8.2 acres NE 1/4 NE 1/4
34.0 acres NW 1/4 NE 1/4
18.8 acres SW 1/4 NE 1/4
32.2 acres SE 1/4 NE 1/4
8.5 acres NE 1/4 NW 1/4
39.7 acres NE 1/4 SE 1/4
5.1 acres NW 1/4 SE 1/4
29.0 acres SE 1/4 SE 1/4 Section 36
T. 37 S., R. 10 E., W. M.

Hamaker Well
0.6 acre SE 1/4 SW 1/4
5.8 acres NE 1/4 SE 1/4
7.6 acres SW 1/4 SE 1/4
3.1 acres SE 1/4 SE 1/4 Section 12
1.6 acres NW 1/4 NE 1/4
5.0 acres NE 1/4 NW 1/4 Section 13
T. 38 S., R. 10 E., W. M.
13.9 acres Lot 4 (SW 1/4 SW 1/4)
40.0 acres SE 1/4 SW 1/4
6.6 acres SW 1/4 SE 1/4
18.8 acres SE 1/4 SE 1/4 Section 7
24.0 acres NE 1/4 NE 1/4
3.2 acres NW 1/4 NE 1/4
35.9 acres NE 1/4 NW 1/4
14.0 acres Lot 1 (NW 1/4 NW 1/4)
5.4 acres Lot 2 (SW 1/4 NW 1/4)
7.4 acres SE 1/4 NW 1/4 Section 18
T. 38 S., R. 11 1/2 E., W. M.

CERT. NO. 86866 SUPERSEDED BY

Lone Rock Well

0.9 acre Lot 4 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
 13.7 acres Lot 5 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
 3.2 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
 26.2 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
 12.9 acres Lot 6 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
 0.3 acre Lot 7 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
 28.6 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 0.1 acre NW $\frac{1}{4}$  SE $\frac{1}{4}$   
 13.6 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 6  
 2.0 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
 30.6 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 0.6 acre SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 0.5 acre SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 7.0 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 7  
 T. 38 S., R. 11 $\frac{1}{2}$  E., W. M.

Liskey Well

37.2 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
 37.2 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 32.6 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 36.8 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 29.6 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 37.2 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
 25.2 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 1.5 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 12  
 1.6 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
 10.8 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 2.8 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 5.4 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 25.4 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 13  
 1.3 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
 23.2 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 35.1 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 2.0 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
 3.4 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 14  
 8.6 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
 30.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 Section 24  
 T. 38 S., R. 10 E., W. M.

Mitchell Well

4.4 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 11.2 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 13.4 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 12.6 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$

9.4 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 13  
 8.8 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 21.0 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
 14.4 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 24.2 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
 39.4 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
 3.6 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 27.6 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 10.4 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 38.6 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
 27.4 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 38.6 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 24

T. 38 S., R. 10 E., W. M.

8.8 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
 10.4 acres Lot 3 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
 14.8 acres Lot 4 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ )  
 37.6 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
 2.3 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 30  
 1.2 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 8.1 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
 2.6 acres Lot 1 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
 Section 31

T. 38 S., R. 11 $\frac{1}{2}$  E., W. M.

Swan Lake Junction Well

37.2 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 37.2 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
 38.2 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 38.4 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 11  
 38.1 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
 39.6 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 39.6 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 16.4 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 0.1 acre NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 32.0 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
 15.4 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 14  
 21.4 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
 32.6 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
 2.1 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
 4.0 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
 23.0 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
 5.5 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
 2.4 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
 Section 23

T. 38 S., R. 10 E., W. M.

\* and 1580 feet East from the NE Corner, Section 1; Hamaker Well-1530 feet North and 3830 feet East from the E $\frac{1}{2}$  Corner, Section 12; Mitchell Well-780 feet North and 5 feet East from the SE Corner, Section 24, T. 38 S., R. 10 E., W. M.

This certificate describes that portion of the water right confirmed by prior certificate 35152, NOT modified by the provisions of an order entered on November 23, 1976, approving transfer application No. 3486 and NOT canceled by the provisions of orders entered October 25, 1976 and October 5, 1977. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.*

WITNESS the signature of the Water Resources Director, affixed

this date. November 28, 1977

James E. Sexson  
 Water Resources Director