

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

This Is to Certify, That NEVIN CATTLE COMPANY

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 of 1,518.6 acres

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 18.98 cubic feet per second; being 5.98 cfs from Lone Rock Well; 2.19 cfs from Hamaker Well, 3.80 cfs from Liskey Well, 3.50 cfs from Mitchell Well and 3.51 cfs from Swan Lake Well,

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T38S, R10E, WM; NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 30, T38S, R11 $\frac{1}{2}$ E, WM; Liskey Well 800 feet South and 430 feet East from NW Corner, Section 13; Swan Lake Junction Well 3,225 feet North and 1,260 feet West from SE Corner, Section 23; Lone Rock Well 130 feet North and 1,580 feet East from NE Corner, *

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:

<u>Lone Rock Well</u>	39.7 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
13.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$	5.1 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 23	29.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 36
	Township 37 South, Range 10 East, WM
5.6 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.9 acre Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
16.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$	13.7 acres Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
5.9 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.2 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
32.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$	26.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
8.7 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$	12.9 acres Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
0.4 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.3 acres Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
35.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$	28.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
0.5 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.1 acre NW $\frac{1}{4}$ SE $\frac{1}{4}$
15.3 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$	13.6 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25	Section 6
27.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
1.0 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.6 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 26	0.6 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$
8.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.5 acre SE $\frac{1}{4}$ NE $\frac{1}{4}$
34.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
18.8 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 7
32.2 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$	Township 38 South, Range 11 $\frac{1}{2}$ East, WM
8.5 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$	

Hamaker Well
5.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 12
Township 38 South, Range 10 East, WM

13.9 acres Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
40.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
6.6 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
18.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 7

24.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
3.2 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
35.9 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
14.0 acres Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
5.4 acres Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
7.4 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 18
Township 38 South, Range 11 $\frac{1}{2}$ East, WM

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 $\frac{1}{4}$
Section 13

1.3 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
20.3 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
23.1 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
1.7 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 14
Township 38 South, Range 10 East, WM

Mitchell Well

8.8 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
0.2 acre 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
Township 38 South, Range 10 East, WM

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 Lct 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 31
Township 38 South, Range 11 $\frac{1}{2}$ East, WM

Swan Lake Junction Well

32.2 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
11.3 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 11

13.3 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 $\frac{1}{4}$
6.1 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

Township 38 South, Range 10 East, WM

* Section 1; Hamaker Well 1,530 feet North and 3,830 feet East from E $\frac{1}{4}$ Corner, Section 12; Mitchell Well 780 feet North and 5 feet East from SE Corner, Section 24, T38S, R10E, WM.

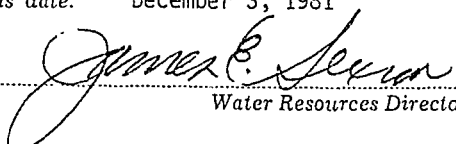
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 44967, Volume 37, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 26, 1981, approving Transfer Application 4843.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date. December 3, 1981


Water Resources Director