

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

EDWARD G. LIVINGSTON
P.O. BOX 67
BLY, OREGON 97622

confirms the right to use the waters of BIG BASALT SPRING AND CASEBEER CREEK, tributaries of LOST RIVER, for IRRIGATION OF 82.3 ACRES and SUPPLEMENTAL IRRIGATION OF 116.9 ACRES.

This right was perfected under Permit 47169. The dates of priority are NOVEMBER 10, 1981 FOR 0.50 CFS AND OCTOBER 10, 1982 FOR 0.30 CFS. This right is limited to 0.80 CUBIC FOOT PER SECOND (CFS), BEING 0.20 CFS FROM BIG BASALT SPRING AND 0.60 CFS FROM CASEBEER CREEK or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion (POD) are located as follows:

SPRING: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 4, T 39 S, R 14 E, WM; 430 FEET NORTH AND 700 FEET WEST FROM THE SE CORNER, SECTION 4.

POD 1: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 4, T 39 S, R 14 E, WM; 130 FEET NORTH AND 650 FEET WEST FROM THE SE CORNER, SECTION 4.

POD 2: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, T 39 S, R 14 E, WM; 1300 FEET SOUTH AND 750 FEET WEST FROM THE NE CORNER, SECTION 9.

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Certificate Number 82908

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, provided further that the water user has not waived or abandoned any vested water rights to the use of water from the sources described in the permit.

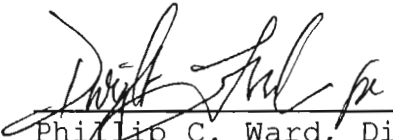
A description of the place of use to which this right is appurtenant is as follows:

	PRIMARY	SUPPLEMENTAL
SE $\frac{1}{4}$ SW $\frac{1}{4}$	11.9 ACRES	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	18.1 ACRES	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	2.0 ACRES	
SECTION 4		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	12.7 ACRES	1.2 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$		3.6 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.5 ACRES	26.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0 ACRES	21.9 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		14.7 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.3 ACRES	7.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.5 ACRES	31.6 ACRES
SECTION 9		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	11.9 ACRES	10.9 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.4 ACRE	
SECTION 16		
TOWNSHIP 39 SOUTH, RANGE 14 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 15 2008


 Philip C. Ward, Director
 Water Resources Department

Recorded in State Record of Water Right Certificates Number 82908.

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