

STATE OF OREGON
 COUNTY OF KLAMATH
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN D. AND SANDRA N. STEWART
 34017 HIGHWAY 97
 CHILOQUIN, OR 97624

confirms the right to use the waters of WILLIAMSON RIVER, tributary to UPPER KLAMATH LAKE, for IRRIGATION of 3.1 ACRES.

This right was perfected under Permit S-28704. The date of priority is APRIL 29, 1963. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.08 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
35 S	7 E	WM	16	SE SE	32	57 FEET NORTH AND 795 FEET EAST FROM THE SW CORNER, LOT 32, SESE, SECTION 16

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 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; and the right allowed herein, shall be subject to prior existing rights of the Klamath Project of the Bureau of Reclamation, U.S. Department of the Interior, and appropriation of water as authorized herein shall be subject to the construction and maintenance of a suitable outlet in any reservoir or diversion dam operated in connection with this appropriation to allow the free passage of the natural flow of the stream. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7 E	WM	16	SE SE	32	3.1

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and 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 PETITION FOR 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.

Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered December 3, 2006, approving Transfer Application T-10207, and supersedes Certificate 36377, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed December 6, 2006


Phillip C. Ward, Director *FOR*