

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BAR C L INC.  
2626 SWAN LAKE ROAD  
KLAMATH FALLS OR 97603

confirms the right to use the waters of UNNAMED DRAINAGEWAYS, tributaries of SWAN LAKE, for SUPPLEMENTAL IRRIGATION of 1898.80 ACRES.

This right was perfected under Permit 49567. The date of priority is MARCH 17, 1976. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 18.2 CUBIC FEET PER SECOND (CFS); BEING 2.6 CFS FROM EACH OF POINTS OF DIVERSION (POD) 1, 2, 3, and 4 FROM OCTOBER 1 TO MARCH 14 ONLY; and 2.6 CFS FROM EACH OF POINTS OF DIVERSION (POD) 9, 10, and 11 AT ANY TIME WATER IS AVAILABLE; or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	POD	Survey Coordinates
37 S	10 E	WM	32	NW NE	1	100 FEET SOUTH AND 30 FEET EAST FROM THE N¼ CORNER, SECTION 32
37 S	10 E	WM	32	SW NE	2	1400 FEET SOUTH AND 30 FEET EAST FROM THE N¼ CORNER, SECTION 32
37 S	10 E	WM	32	NW SE	3	3420 FEET SOUTH AND 30 FEET EAST FROM THE N¼ CORNER, SECTION 32
38 S	10 E	WM	1	NE NE	11	790 FEET WEST FROM THE NE CORNER, SECTION 1
38 S	10 E	WM	1	NE NE	10	AT THE NE CORNER, SECTION 1
38 S	10 E	WM	1	SE SE	9	AT THE SE CORNER, SECTION 1
38 S	10 E	WM	4	SE SE	4	10 FEET NORTH AND 30 FEET WEST FROM THE SE CORNER, SECTION 4

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 period March 15 to September 30, and shall be further limited to a diversion of not to exceed 1.5 acre-feet per acre for each acre irrigated during the period from October 1 to March 14, provided further that the right allowed herein shall not exceed 3.0 acre-feet for each acre irrigated during any one year. The use of water during the period from October 1 to March 15 authorized herein shall

**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. 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.

not establish priority of right as against future appropriation of surface water for beneficial uses or for storage for such beneficial uses, other than similar rights for irrigation from October 1 to March 14. Sufficient flow shall be left in the drainageways to provide stockwater to downstream properties during the period of use authorized herein. 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.

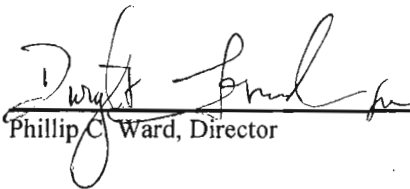
A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
37 S	10 E	WM	35	SW NE		35.00
37 S	10 E	WM	35	SE NE		35.00
37 S	10 E	WM	35	SW NW		35.00
37 S	10 E	WM	35	SE NW		35.00
37 S	10 E	WM	35	NE SW		40.00
37 S	10 E	WM	35	NW SW		40.00
37 S	10 E	WM	35	SW SW		40.00
37 S	10 E	WM	35	SE SW		40.00
37 S	10 E	WM	35	NE SE		40.00
37 S	10 E	WM	35	NW SE		40.00
37 S	10 E	WM	35	SW SE		40.00
37 S	10 E	WM	35	SE SE		40.00
38 S	10 E	WM	1	NE NE	1	40.00
38 S	10 E	WM	1	NW NE	2	39.90
38 S	10 E	WM	1	SW NE		40.00
38 S	10 E	WM	1	SE NE		40.00
38 S	10 E	WM	1	NE NW	3	39.90
38 S	10 E	WM	1	NW NW	4	39.80
38 S	10 E	WM	1	SW NW		40.00
38 S	10 E	WM	1	SE NW		40.00
38 S	10 E	WM	1	NE SW		40.00
38 S	10 E	WM	1	NW SW		40.00
38 S	10 E	WM	1	SW SW		40.00
38 S	10 E	WM	1	SE SW		40.00
38 S	10 E	WM	1	NE SE		40.00
38 S	10 E	WM	1	NW SE		40.00
38 S	10 E	WM	1	SW SE		40.00
38 S	10 E	WM	1	SE SE		40.00
38 S	10 E	WM	2	NE NE	1	39.80
38 S	10 E	WM	2	NW NE	2	39.80
38 S	10 E	WM	2	SW NE		40.00
38 S	10 E	WM	2	SE NE		40.00
38 S	10 E	WM	2	NE NW	3	39.90
38 S	10 E	WM	2	NW NW	4	39.90
38 S	10 E	WM	2	SW NW		40.00
38 S	10 E	WM	2	SE NW		40.00
38 S	10 E	WM	2	NE SW		40.00
38 S	10 E	WM	2	NW SW		40.00
38 S	10 E	WM	2	SW SW		40.00
38 S	10 E	WM	2	SE SW		40.00
38 S	10 E	WM	2	NE SE		40.00
38 S	10 E	WM	2	NW SE		40.00
38 S	10 E	WM	2	SW SE		40.00

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
38 S	10 E	WM	2	SE SE		40.00
38 S	10 E	WM	3	NE NE	1	39.90
38 S	10 E	WM	3	NW NE	2	39.90
38 S	10 E	WM	3	SW NE		40.00
38 S	10 E	WM	3	SE NE		40.00

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JAN 19 2007.

  
 Phillip C. Ward, Director

