

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

MARY JANE DANFORTH
PO BOX 425
FORT KLAMATH, OREGON 97626

confirms the right to use the waters of CHUB CREEK AND CHERRY CREEK, tributaries of UPPER KLAMATH LAKE, for STOCK AND IRRIGATION OF 160.0 ACRES.

This right was perfected under Permit 36276. The date of priority is JUNE 9, 1971. This right is limited to 1.50 CUBIC FEET PER SECOND (CFS) FROM CHUB CREEK AND 0.50 CFS FROM CHEERY CREEK FOR IRRIGATION WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM CHUB CREEK TO BE MADE UP BY APPROPRIATION FROM CHERRY CREEK, PROVIDED THAT THE TOTAL QUANTITY DIVERTED FROM BOTH SOURCES SHALL NOT EXCEED 1.50 CFS, AND 0.02 CFS FROM EACH OF CHUB CREEK AND CHERRY CREEK FOR STOCK, measured at the point of diversion from the source.

The points of diversion are located as follows:

CHUB CREEK: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 24, T 34 S, R 6 E, WM; 1480 FEET NORTH AND 2440 FEET EAST FROM THE SW CORNER, SECTION 24.

CHERRY CREEK: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 22, T 34 S, R 6 E, WM; 2850 FEET NORTH AND 910 FEET WEST FROM THE SE CORNER, SECTION 22.

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Certificate Number 83097

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 no water be appropriated for stock use above that appropriated for irrigation during the irrigation season.

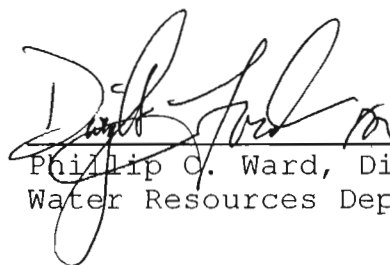
A description of the place of use to which this right is appurtenant is as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SECTION 25

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SECTION 26
TOWNSHIP 34 SOUTH, RANGE 6 SOUTH, 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 **FEB 16 2007**



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83097.

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