

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

JESPERSEN EDGEWOOD, INC.
12929 SWAN LAKE ROAD
KLAMATH FALLS, OREGON 97603

confirms the right to use the waters of THREE WELLS in the SWAN LAKE BASIN for IRRIGATION OF 1,119.0 ACRES.

This right was perfected under Permit G-7293. The date of priority is MARCH 3, 1977. This right is limited to 13.54 CUBIC FEET PER SECOND (CFS), BEING 0.83 CFS FROM WELL 1, 5.50 CFS FROM WELL 2, AND 7.21 CFS FROM WELL 3, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 1: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T 37 S, R 10 E, WM; 550 FEET NORTH AND 3420 FEET EAST FROM THE SW CORNER, SECTION 9.

WELL 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 8, T 37 S, R 10 E, WM; 70 FEET NORTH AND 100 FEET EAST FROM THE SW CORNER, SECTION 8.

WELL 3: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 8, T 37 S, R 10 E, WM; 3240 FEET NORTH AND 2670 FEET EAST FROM THE SW CORNER, SECTION 8.

G-7873.LHN

Certificate Number 83121

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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-EIGHTIETH 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.

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

<u>WELL 1</u>		NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
		NW $\frac{1}{4}$ SE $\frac{1}{4}$	35.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	11.6 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.3 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.3 ACRE	SE $\frac{1}{4}$ SE $\frac{1}{4}$	35.8 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.4 ACRES	SECTION 29	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.7 ACRES	<u>WELL 3</u>	
SW $\frac{1}{4}$ SE $\frac{1}{4}$	10.4 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.9 ACRES
SECTION 15		SECTION 14	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	4.8 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.5 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	24.4 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	5.1 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.4 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	32.8 ACRES
SECTION 22		SECTION 15	
<u>WELL 2</u>		NE $\frac{1}{4}$ NE $\frac{1}{4}$	27.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.7 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	5.6 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	24.2 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	30.4 ACRES
SECTION 17		SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	14.0 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	16.5 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	35.9 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	36.0 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	18.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	11.6 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
SECTION 21		SECTION 22	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	12.4 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.8 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	36.4 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$	30.4 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	35.2 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	37.1 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	35.2 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$	39.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	35.9 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	12.1 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$	25.2 ACRES
SECTION 28		SECTION 23	
		NW $\frac{1}{4}$ NW $\frac{1}{4}$	8.4 ACRES

SECTION 26

NE¼ NE¼ 6.4 ACRES

SECTION 27

TOWNSHIP 37 SOUTH, RANGE 10 EAST, W.M.


The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall include an airline and pressure gauge or an access port for a measuring line, adequate to determine the water level elevation in the well at all times.

The water user shall maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

WITNESS the signature of the Water Resources Director, affixed **FEB 09 2007**



Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 83121.