

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

O'CONNER LIVESTOCK COMPANY
2075 CALHOUN STREET
KLAMATH FALLS, OREGON 97601

confirms the right to use the waters of TWO WELLS in the LOWER KLAMATH LAKE BASIN for the purpose of IRRIGATION OF 49.6 ACRES.

The right has been perfected under Permit G-10363. The date of priority is MARCH 26, 1984. The right is limited to not more than 0.62 CUBIC FEET PER SECOND; BEING 0.16 CFS FROM WELL 2 AND 0.46 CFS FROM WELL 3, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL 2: NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 12, T 41 S, R 9 E, WM; 90 FEET SOUTH AND 810 FEET WEST FROM THE NE CORNER, SECTION 12.

WELL 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 35, T 40 S, R 9 E, WM; 2650 FEET NORTH AND 1150 FEET EAST FROM THE SW CORNER, SECTION 35.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, 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.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

WELL 2

SW¹/₄ SW¹/₄ 0.3 ACRE
SECTION 6

NW¹/₄ NW¹/₄ 12.6 ACRES
SW¹/₄ SW¹/₄ 0.1 ACRE
SECTION 7

TOWNSHIP 41 SOUTH, RANGE 10 EAST, W.M.

WELL 3

NE¹/₄ NW¹/₄ 12.4 ACRES
NW¹/₄ NW¹/₄ 24.2 ACRES
SECTION 35

TOWNSHIP 40 SOUTH, RANGE 9 EAST, W.M.

The wells 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.

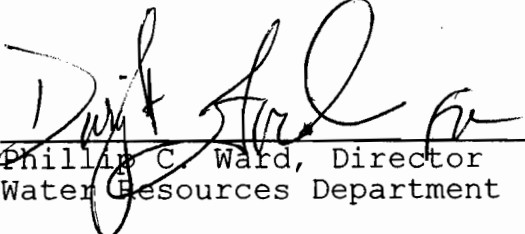
The water user shall maintain weirs, meters, or other suitable measuring devices, and shall keep a complete record of the amount of ground water withdrawn.

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

In the event that rights are determined in the Klamath Adjudication for the lands, source, and use(s) involved in this right, the Department will, following review of the rights, proceed to modify or cancel those portions of this right duplicated by the decreed right.

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.

WITNESS the signature of the Water Resources Director, affixed **FEB 28 2007**


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83198.