

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NEVIN CATTLE CO.
STAR RT
DAIRY OR 97625

confirms the right to use the waters of A DEER RIDGE WELL, LISKEY WELL, AND SWAN LAKE JUNCTION WELL, tributaries of SWAN LAKE for IRRIGATION of 353.5 ACRES.

This right was perfected under permit U-343. The date of priority is JULY 19, 1949. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.42 CUBIC FEET PER SECOND (CFS), BEING 2.65 CFS FROM DEER RIDGE WELL, 1.56 CFS FROM LISKEY WELL, AND 0.21 CFS FROM SWAN LAKE JUNCTION WELL, if available at the old wells (HAMAKER WELL, LISKEY WELL, MITCHELL WELL, AND SWAN LAKE WELL) or its equivalent in case of rotation, measured at the point of diversion.

The old well locations are as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
Hamaker	38 S	10 E	WM	12	NE NW		1530 FEET NORTH AND 3830 FEET EAST FROM E ¹ / ₄ CORNER, SECTION 12
Liskey	38 S	10 E	WM	13	NW NW		800 FEET SOUTH AND 430 FEET EAST FROM NW CORNER, SECTION 13
Swan Lake Junction	38 S	10 E	WM	23	SE NE		3225 FEET NORTH AND 1260 FEET WEST FROM SE CORNER, SECTION 23
Mitchell	38 S	11.5 E	WM	30	NW SW	3	780 FEET NORTH AND 5 FEET EAST FROM SE CORNER, SECTION 24

The new points of appropriation (wells) are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Liskey	38 S	10 E	WM	13	NW NW	800 FEET SOUTH AND 430 FEET EAST FROM NW CORNER, SECTION 13
Swan Lake Junction	38 S	10 E	WM	23	SE NE	3225 FEET NORTH AND 1260 FEET WEST FROM SE CORNER, SECTION 23
Deer Ridge	38 S	10 E	WM	24	SW NW	2650 FEET NORTH AND 180 FEET EAST FROM SW CORNER, SECTION 24

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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO 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.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION FROM DEER RIDGE WELL					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	10 E	WM	11	NE SE	14.2
38 S	10 E	WM	11	NW SE	37.2
38 S	10 E	WM	11	SW SE	6.0
38 S	10 E	WM	11	SE SE	2.3
38 S	10 E	WM	13	NWSW	5.0
38 S	10 E	WM	13	SW SW	38.0
38 S	10 E	WM	13	SE SW	9.4
38 S	10 E	WM	14	SE SE	1.7
38 S	10 E	WM	24	NE NW	29.6
38 S	10 E	WM	24	NW NW	30.0
38 S	10 E	WM	24	SE NW	24.0
38 S	10 E	WM	24	SW NW	14.4

IRRIGATION FROM LISKEY WELL					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	10 E	WM	11	NE SE	23.0
38 S	10 E	WM	11	SE SE	24.8
38 S	10 E	WM	12	SE SW	0.6
38 S	10 E	WM	12	SW SE	7.6
38 S	10 E	WM	12	SE SE	3.1
38 S	10 E	WM	13	NW NE	1.6
38 S	10 E	WM	13	NE NW	5.0
38 S	10 E	WM	13	NW NW	4.4
38 S	10 E	WM	13	SW NW	11.2
38 S	10 E	WM	13	NW SW	8.4
38 S	10 E	WM	14	NE NE	24.8
38 S	10 E	WM	14	SE NE	10.3

IRRIGATION FROM SWAN LAKE JUNCTION WELL					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	10 E	WM	14	SE NE	2.9
38 S	10 E	WM	14	NE SE	12.0
38 S	10 E	WM	14	NW SE	2.0

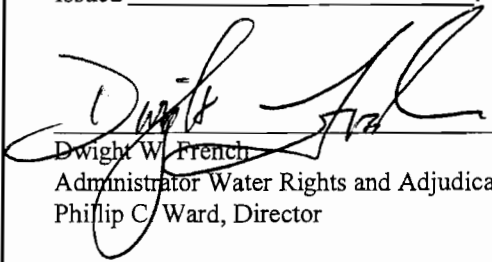
The quantity of water appropriated at the new well, together with that appropriated at the old wells, shall not exceed the quantity of water available at the old wells under this right.

When in the judgment of the Watermaster, the water user shall install an in line flow meter or other suitable device for measuring the water to which the water used is entitled. The type and plans of the measuring device shall be approved by the Watermaster before the beginning of construction work and that the measuring device shall be installed under the general supervision of the Watermaster.

This certificate is issued to confirm a change in POINT OF APPROPRIATION OF WATER approved by an order of the Water Resources Director entered October 26, 1981, at Special Order Volume 35, Page 315, approving Transfer Application 4843, and together with Certificate 50381, supercedes Certificate 44967, State record of Water Right Certificates.

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.

Issued APR 21 2011



Dwight W. French
Administrator Water Rights and Adjudications, for
Philip C. Ward, Director