

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HARIL W NEWTON & FRED W KOEHLER  
HC 30 BOX 67G  
CHILOQUIN OR 97624

confirms the right to use the waters of UPPER KLAMATH LAKE, a tributary of KLAMATH RIVER, for IRRIGATION of 253.5 ACRES.

This right was perfected under Permit S-41856. The date of priority is MARCH 24, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.11 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	7 E	WM	8	NW NE	1300 FEET SOUTH & 2450 FEET WEST FROM NE CORNER, SECTION 8

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 irrigation season of each year.

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
36 S	7 E	WM	5	NE NW	3		17.9
36 S	7 E	WM	5	NE NW	6		19.7
36 S	7 E	WM	5	NW NW	4		19.2
36 S	7 E	WM	5	NW NW	5		15.9
36 S	7 E	WM	5	SW NW	12		9.2
36 S	7 E	WM	5	SW NW	13		2.7
36 S	7 E	WM	5	SE NW	11		20.0

**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 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
36 S	7 E	WM	5	SE NW	14		19.9
36 S	7 E	WM	5	NE SW	19		16.0
36 S	7 E	WM	5	NE SW	22		7.4
36 S	7 E	WM	5	SW SE	26		19.7
36 S	7 E	WM	5	SW SE	31		19.7
36 S	7 E	WM	5	SE SE	25		6.4
36 S	7 E	WM	5	SE SE	32		6.8
36 S	7 E	WM	6	NE NE			2.2
36 S	7 E	WM	8	NE NE			15.0
36 S	7 E	WM	8	NW NE			35.8


THIS CERTIFICATE IS ISSUED TO CORRECTLY IDENTIFY THE LOCATION FOR IRRIGATION AND SUPERSEDES CERTIFICATE 65196.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 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.

Issued MAR 05 2012

  
 Dwight W. French  
 Water Right Services Administrator, for  
 Phillip C. Ward, Director  
 Water Resources Department