

year-round for livestock watering, and April 15 through September 15 for irrigation. The claimed priority date is October 14, 1864.

5. J. ANTHONY GIACOMINI, an authorized agent of CHARLOTTE M. MATHIS, MATHIS FAMILY TRUST UTA 8/11/87, signed the original Claim 5 attesting that the information contained in the claim is true. CHARLOTTE M. MATHIS signed the amendments (Claim 5 and Claim 708) attesting that the information contained in the each claim is true.
6. The claim was transferred to STAFFORD RANCHES, INC. (Claimant). *See* WARRANTY DEED, COUNTY OF KLAMATH, VOL. M00, PAGE 1948 (Jan. 18, 2000), and CHANGE OF OWNERSHIP FORM (Feb. 2, 2000) (Claim # 5, Pages 284-296).
7. On October 4, 1999, following investigation of the evidence submitted, the Adjudicator issued a Summary and Preliminary Evaluation of Claims (Preliminary Evaluation) stating the claim was approved for livestock watering and irrigation, but for a larger quantity of water and with a longer irrigation season than claimed.
8. On May 8, 2000, the following parties, hereinafter collectively referred to as the "Klamath Project Water Users," filed Contest 3431: Klamath Irrigation District, Klamath Drainage District, Tulelake Irrigation District, Klamath Basin Improvement District, Ady District Improvement Company, Enterprise Irrigation District, Klamath Hills District Improvement Co.¹, Malin Irrigation District, Midland District Improvement Company, Pine Grove Irrigation District, Pioneer District Improvement Company, Poe Valley Improvement District, Shasta View Irrigation District, Sunnyside Irrigation District, Don Johnston & Son, Bradley S. Luscombe, Berlva Pritchard², Don Vincent³, Randy Walthall, Inter-County Title Co., Winema Hunting Lodge, Inc., Van Brimmer Ditch Co., Plevna District Improvement Co., and Collins Products, LLC.
9. On May 8, 2000, the United States of America timely filed Contest 3711 to the Claim and/or Preliminary Evaluation of Claim 5.
10. On May 8, 2000, the Klamath Tribes timely filed Contest 4067 to the Claim and/or Preliminary Evaluation of Claim 5.
11. On May 8, 2000, WaterWatch of Oregon, Inc. filed Contest 2814 to the Claim and/or Preliminary Evaluation of Claim 5.
12. These matters were referred to the Office of Administrative Hearings for a contested case hearing which were designated as Case 158.

¹ Klamath Hills District Improvement Company voluntarily withdrew from Contest 3431 on January 16, 2004. *See* VOLUNTARY WITHDRAWAL OF CONTEST BY KLAMATH HILLS DISTRICT IMPROVEMENT COMPANY

² Berlva Pritchard voluntarily withdrew from Contest 3431 on June 24, 2002. *See* NOTICE OF WITHDRAWAL OF CLAIMANT.

³ Don Vincent voluntarily withdrew from Contest 3431 on November 29, 2000. *See* NOTICE OF WITHDRAWAL OF CLAIMANTS.

13. On February 18, 2003, WaterWatch of Oregon, Inc. withdrew Contest 2814. *See WATERWATCH'S VOLUNTARY WITHDRAWAL OF CONTEST NO. 2814 (Feb. 18, 2003).*
14. On October 11, 2004, Stafford Ranches, Inc., OWRD, the United States of America, the Klamath Tribes, and the Klamath Project Water Users executed a STIPULATION TO RESOLVE CONTESTS (Settlement Agreement) thereby resolving all remaining contests to Claim 5.
15. On October 18, 2004, the Adjudicator withdrew Case 158 from the Office of Administrative Hearings.
16. OWRD finds a rate for irrigation of 1/40 of one cubic foot per second per acre, as claimed.

B. DETERMINATION

1. The Settlement Agreement executed between Stafford Ranches, Inc., OWRD, the United States of America, the Klamath Tribes, and the Klamath Project Water Users is adopted and incorporated as if set forth fully herein.
2. The elements of a Walton claim are established. The GENERAL CONCLUSIONS OF LAW CONCERNING WALTON CLAIMS is incorporated as if set forth fully herein.
3. The rate for irrigation is 1/40 of one cubic foot per second per acre as claimed.
4. Based on the file and record herein, IT IS ORDERED that Claim 5 is approved as set forth in the following Water Right Claim Description.

CLAIM NO. 5
FOR A VESTED WATER RIGHT

CLAIM MAP REFERENCE: CLAIM # 5 SETTLEMENT MAP (Oct. 13, 2004)

CLAIMANT: STAFFORD RANCHES, INC
1110 NE LAUGHLIN ROAD
PRINEVILLE, OR 97754

SOURCE OF WATER:
An UNNAMED STREAM (LENZ CREEK), tributary to BIG SPRINGS CREEK

PURPOSE OR USE:
IRRIGATION OF 711.6 ACRES WITH INCIDENTAL LIVESTOCK WATERING OF 2500 HEAD.

RATE OF USE:
17.8 CUBIC FEET PER SECOND (CFS) MEASURED AT THE POINT OF DIVERSION.

THE RATE OF USE FOR IRRIGATION MAY NOT EXCEED 1/40 OF ONE CUBIC FOOT PER SECOND PER ACRE IRRIGATED DURING THE IRRIGATION SEASON OF EACH YEAR.

DUTY:
2.19 ACRE-FEET PER ACRE IRRIGATED DURING THE IRRIGATION SEASON OF EACH YEAR.

PERIOD OF ALLOWED USE: APRIL 15 - SEPTEMBER 15

DATE OF PRIORITY: OCTOBER 14, 1864

THE POINT OF DIVERSION IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	8 E	WM	15	SW SE	NORTH 4 DEGREES 10 MINUTES EAST, 6546 FEET FROM S¼ CORNER, SECTION 22

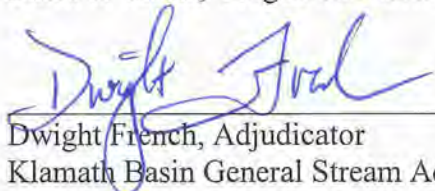
THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION WITH INCIDENTAL LIVESTOCK WATERING						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
30 S	8 E	WM	24	NE NE	2	13.0
30 S	8 E	WM	24	NE NE	3	0.1
30 S	8 E	WM	24	NW NE	1	8.8
30 S	8 E	WM	24	NW NE	4	13.0
30 S	8 E	WM	24	SW NE		39.9
30 S	8 E	WM	24	SE NE	2	17.5
30 S	8 E	WM	24	SE NE	3	22.4
30 S	8 E	WM	24	NE NW	1	0.7
30 S	8 E	WM	24	NE NW	5	26.7

IRRIGATION WITH INCIDENTAL LIVESTOCK WATERING						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
30 S	8 E	WM	24	NW NW	6	10.9
30 S	8 E	WM	24	SW NW		39.7
30 S	8 E	WM	24	SE NW		39.9
30 S	8 E	WM	24	NE SW		39.9
30 S	8 E	WM	24	NW SW		39.9
30 S	8 E	WM	24	SW SW		39.9
30 S	8 E	WM	24	SE SW		39.9
30 S	8 E	WM	24	NE SE		39.9
30 S	8 E	WM	24	NW SE		39.9
30 S	8 E	WM	24	SW SE		39.9
30 S	8 E	WM	24	SE SE		39.9
30 S	8 E	WM	25	NE NE		39.8
30 S	8 E	WM	25	NW NE		40.0
30 S	8 E	WM	25	NE NW		40.0
30 S	8 E	WM	25	NW NW		40.0

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013



 Dwight French, Adjudicator
 Klamath Basin General Stream Adjudication