

**BEFORE THE DIRECTOR  
OF THE WATER RESOURCES DEPARTMENT  
OF THE STATE OF OREGON**

**KLAMATH BASIN GENERAL STREAM ADJUDICATION**

|                               |   |                       |
|-------------------------------|---|-----------------------|
| In the Matter of the Claim of | ) | PARTIAL ORDER OF      |
| RICHARD TAYLOR                | ) | DETERMINATION         |
|                               | ) |                       |
| _____                         | ) | Water Right Claim 199 |

The GENERAL FINDINGS OF FACT of the FINAL ORDER OF DETERMINATION is incorporated as if set forth fully herein.

**A. FINDINGS OF FACT AND DESCRIPTION OF MODIFICATIONS  
TO THE PROPOSED ORDER**

1. Claim 199 (Claimant: RICHARD TAYLOR) and its associated contests (11, 3410, 3841, and 4183) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 132.
2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued a PROPOSED ORDER (Proposed Order) for Claim 199 on August 24, 2004.
3. Exceptions were filed to the Proposed Order within the exception filing deadline by (1) Richard Taylor and (2) the United States of America.
4. The exceptions filed to the Proposed Order have been reviewed and considered in conjunction with the entire record for Claim 199, and are found to be unpersuasive. Accordingly, changes were not made to the Proposed Order to accommodate any exceptions.
5. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein, with the exception that the section titled "Order" is replaced in its entirety by the Water Right Claim Description as set forth in Section B of this Partial Order of Determination for Claim 199. The outcome of the Order is without modification; it is presented in a format standardized by OWRD.

**B. DETERMINATION**

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein, with the exception that the section titled "Order" is replaced in its entirety by the Water Right Claim Description as set forth in Section B of this Partial Order of Determination for Claim 199. The outcome of the Order is without modification; it is presented in a format standardized by OWRD.
2. The elements of a pre-1909 claim are established. The GENERAL CONCLUSIONS OF LAW CONCERNING PRE-1909 CLAIMS is incorporated as if set forth fully herein.
3. Based on the file and record herein, IT IS ORDERED that Claim 199 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

**CLAIM NO.** 199

**CLAIM MAP REFERENCE:** CLAIM # 199, PAGE 36

**CLAIMANT:** RICHARD TAYLOR  
PO BOX 637  
ASHLAND OR 97520

**SOURCE OF WATER:** SPRING CREEK, tributary to JENNY CREEK

**PURPOSE OR USE:** IRRIGATION OF 135.0 ACRES

**RATE OF USE:**

3.38 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:**

3.5 ACRE-FEET PER ACRE IRRIGATED DURING THE IRRIGATION SEASON OF EACH YEAR.

**PERIOD OF ALLOWED USE:** APRIL 1 - OCTOBER 31

**DATE OF PRIORITY:** DECEMBER 20, 1887

**THE POINT OF DIVERSION IS LOCATED AS FOLLOWS:**


| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances  |
|------|-----|-----|-----|-------|---|
| 40 S | 4 E | WM  | 34  | NW SE | 1620 FEET NORTH AND 260 FEET EAST FROM S ¼ CORNER, SECTION 34 |

**THE PLACE OF USE IS LOCATED AS FOLLOWS:**

| IRRIGATION |     |     |     |       |      |       |
|------------|-----|-----|-----|-------|------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | GLot | Acres |
| 40 S       | 4 E | WM  | 33  | NE SE |      | 7.0   |
| 40 S       | 4 E | WM  | 33  | NW SE |      | 28.0  |
| 40 S       | 4 E | WM  | 33  | SE SE |      | 35.0  |
| 41 S       | 4 E | WM  | 3   | NW NW | 4    | 28.0  |
| 41 S       | 4 E | WM  | 3   | SW NW |      | 20.0  |
| 41 S       | 4 E | WM  | 4   | NE NE | 1    | 16.0  |
| 41 S       | 4 E | WM  | 4   | SE NE |      | 1.0   |

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013

  
Dwight French, Adjudicator  
Klamath Basin General Stream Adjudication