

62921

STATE OF OREGON

Vol. ^M79 Page 4054

COUNTY OF

KLAMATH

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HEATON STEEL & SUPPLY, INC.

of 428 Spring St., Klamath Falls, State of Oregon, 97601, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Five Mile Creek

a tributary of North Fork Sprague River for the purpose of irrigation of 14.0 acres

under Permit No. 27145 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 16, 1961

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.35 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, T. 36 S., R. 13 E., W. M., 536 feet South and 473 feet West from the NE Corner, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1

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-fortieth 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 acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

14.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 1

T. 36 S., R. 13 E., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered May 29, 1974 and together with certificate of water right recorded on Page 45158, Volume 37, State Record of Water Right Certificates supersedes certificate of water right recorded on Page 30971, Volume 23, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. January 29, 1979


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 40, page 47296

STATE OF OREGON; COUNTY OF KLAMATH; ss..

I hereby certify that the within instrument was received and filed for record on the 23rd day of February A.D., 19 79 at 8:35 o'clock A M., and duly recorded in Vol. M79 of Water Rights on Page 4054.

FEE \$2.00

WM. D. MILNE, County Clerk
By  Deputy