

**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
RODNEY N. MURRAY	)	DETERMINATION
	)	
_____	)	Water Right Claim 79

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

**A. FINDINGS OF FACT**

1. Claim 79 (Claimant: RODNEY N. MURRAY, 1945 PAINTER ST, KLAMATH FALLS, OR 97601) and its associated contests (4 and 3470) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 260.
2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued a PROPOSED ORDER (Proposed Order) on August 22, 2003, denying Claim 79. No exceptions were filed to the Proposed Order.
3. On July 21, 2011, the Adjudicator issued an AMENDED PROPOSED ORDER (Amended Proposed Order) to modify the outcome of the original Proposed Order to recognize a right for domestic use for one household and irrigation on 1 acre. Except as modified, the Amended Proposed Order fully incorporated the 2003 Proposed Order.
4. No exceptions were filed to Amended Proposed Order.
5. The Amended Proposed Order is adopted and incorporated in its entirety as if set forth fully herein.

**B. DETERMINATION**

1. The Amended Proposed Order issued on July 21, 2011, is adopted and incorporated in its entirety 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.
1. Based on the file and record herein, IT IS ORDERED that Claim 79 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

**CLAIM NO. 79**  
FOR A VESTED WATER RIGHT

**CLAIM MAP REFERENCE:**  
OWRD INVESTIGATION MAP – T 34 S, R13 E THRU T 36 S, R 16 E (DETAIL SHEET #5)

**CLAIMANT:** RODNEY N. MURRAY  
1945 PAINTER ST  
KLAMATH FALLS, OR 97601

**SOURCE OF WATER:** An UNNAMED SPRING, tributary to FIVEMILE CREEK

**PURPOSE OR USE:**  
DOMESTIC FOR ONE HOUSEHOLD AND IRRIGATION OF 1.0 ACRES

**RATE OF USE:**  
UP TO 20 GALLONS PER MINUTE (GPM) MEASURED AT THE POINT OF DIVERSION  
AS FOLLOWS:  
NOT TO EXCEED 10 GPM FOR DOMESTIC, AND  
NOT TO EXCEED 10 GPM FOR IRRIGATION

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:**

Use	Period
Domestic	February 1 - November 30
Irrigation	May 1 - October 31

**DATE OF PRIORITY:** OCTOBER 14, 1864

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

Twp	Rng	Mer	Sec	Q-Q
34 S	13 E	WM	36	SE NE

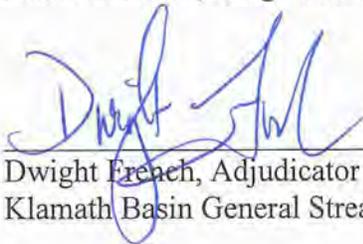
**THE PLACE OF USE IS LOCATED AS FOLLOWS:**

DOMESTIC				
Twp	Rng	Mer	Sec	Q-Q
34 S	13 E	WM	36	SE NE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	13 E	WM	36	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