

**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
JOHN AND MARGARET CAMARA)	DETERMINATION
)	
_____)	Water Right Claim 701

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 701 (Claimants: JOHN AND MARGARET CAMARA) and its associated contests 1768 and 3579) were referred to the Office of Administrative Hearings for a contested case hearing which was designated as Case 97.
2. The Office of Administrative Hearings conducted contested case proceedings and ultimately issued a PROPOSED ORDER (Proposed Order) for Claim 701 on February 23, 2007.
3. No exceptions were filed to the Proposed Order.
4. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein, with two exceptions: (1) the section titled "Opinion" is adopted with modifications, as set forth in Section A.5, below, and (2) 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 701. The outcome of the Order is without modification; it is presented in a format standardized by OWRD.
5. **Opinion.** Within the section titled "Opinion" of the Proposed Order, OWRD removed the ALJ's discussion regarding the elements of a *Walton* Claim. In its place, OWRD incorporates into the Opinion section the GENERAL CONCLUSIONS OF LAW CONCERNING WALTON CLAIMS.

Reason for Modifications: To correct and clarify the elements of a Walton water right.

B. DETERMINATION

1. The Proposed Order is adopted and incorporated in its entirety as if set forth fully herein, with two exceptions: (1) the section titled “Opinion” is adopted with modifications, as set forth in Section A.5, above. 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 701. The outcome of the Order is without modification; it is presented in a format standardized by OWRD.
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. Based on the file and record herein, IT IS ORDERED that Claim 701 is approved as set forth in the following Water Right Claim Description.

[Beginning of Water Right Claim Description]

CLAIM NO. 701

CLAIM MAP REFERENCE:

CLAIM # 701, PAGE 85; OWRD INVESTIGATION MAP – T 35 S, R 13 E

CLAIMANT: JOHN AND MARGARET CAMARA
5061 OAK LEAF CIRCLE
PLACERVILLE, CA 95667

SOURCE OF WATER: PONINA CREEK and MILL CREEK, tributaries to SNAKE CREEK

PURPOSE OR USE: INSTREAM LIVESTOCK WATERING OF 25 HEAD

RATE OF USE:

0.00046 CUBIC FOOT PER SECOND FOR INSTREAM LIVESTOCK WATERING MEASURED AT THE PLACE OF USE, NOT TO EXCEED 300 GALLONS PER DAY.

PERIOD OF ALLOWED USE: JANUARY 1 - DECEMBER 31

DATE OF PRIORITY: OCTOBER 14, 1864

THE POINT OF DIVERSION IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	GLot	Instream Livestock Watering
35 S	13 E	WM	30	NW NE		No specific point of diversion, livestock drink directly from Ponina Creek
35 S	13 E	WM	30	SW NE		
35 S	13 E	WM	30	SW NW	2	
35 S	13 E	WM	30	SE NW		
35 S	13 E	WM	30	SE NE		No specific point of diversion, livestock drink directly Mill Creek
35 S	13 E	WM	30	NW SE		

THE PLACE OF USE IS LOCATED AS FOLLOWS:

INSTREAM LIVESTOCK WATERING					
Twp	Rng	Mer	Sec	Q-Q	GLot
35 S	13 E	WM	30	NW NE	
35 S	13 E	WM	30	SW NE	
35 S	13 E	WM	30	SE NE	
35 S	13 E	WM	30	SW NW	2
35 S	13 E	WM	30	SE NW	
35 S	13 E	WM	30	NW SE	

[End of Water Right Claim Description]

Dated at Salem, Oregon on March 7, 2013



Dwight French, Adjudicator
Klamath Basin General Stream Adjudication