

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF KLAMATH

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

WINSTON AND LOUISE PATTERSON
JAMES AND MARILYN ROSS
20792 KENO WORDEN ROAD
KLAMATH FALLS, OREGON 97603

confirms the right to store the waters of TWO WELLS AND BEAR CREEK, A TRIBUTARY OF THE KLAMATH RIVER, IN PATTERSON RESERVOIR 1 for FISH CULTURE AND IRRIGATION.

The right to store and use these waters was perfected under Reservoir Application R-76078. The date of priority is January 1, 1993. The amount of water entitled to be stored and used each year under this right is not more than 27.0 ACRE-FEET.

THE WELLS ARE LOCATED AS FOLLOWS:

NW 1/4 NE 1/4, SECTION 5, TOWNSHIP 41 SOUTH, RANGE 8 EAST, W.M., 1220 FEET SOUTH AND 1390 FEET WEST FROM THE NE CORNER OF SECTION 5; AND

NE 1/4 SE 1/4, SECTION 5, TOWNSHIP 41 SOUTH, RANGE 8 EAST, W.M., 3270 FEET SOUTH AND 800 FEET WEST FROM THE NE CORNER OF SECTION 5.

THE BEAR CREEK POINT OF DIVERSION IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4, SECTION 4, TOWNSHIP 41 SOUTH, RANGE 8 EAST, W.M.

R-76078.LHN

CERTIFICATE NUMBER 81491

The reservoir is located as follows:

PATTERSON RESERVOIR 1 - SW¼ NW¼, SECTION 4, T 41 S, R 8 E, W.M.

The outlet gate shall be cycled at least once each year and shall be fully operational at all times.


Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

The earthen dam and resultant reservoir shall be maintained according to the approved plans and specifications on file with the Oregon Water Resources Dam Safety program.

The existing structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any modification to the dam, spillway or appurtenant structures.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

Issued July 14, 2005.


Phillip E. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81491.

R-76078.LHN