

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BRANDNESS ENTERPRISES INC.  
409 PINE STREET  
KLAMATH FALLS OREGON 97601

confirms the right to use the waters of ONE WELL in the Klamath Basin for GEOTHERMAL HEATING.

This right was perfected under Permit G-11374. The date of priority is DECEMBER 28, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 185 gallons per minute or its equivalent in case of rotation, measured at the well.

The well is located as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | Survey Coordinates   |
|------|-----|-----|-----|-------|--|
| 38 S | 9 E | WM  | 34  | NE SE | 150 FEET NORTH AND 870 FEET EAST FROM SW CORNER, NE¼ SE¼, SECTION 34 |

A description of the place of use is as follows:

| Twp  | Rng | Mer | Sec | Q-Q   |
|------|-----|-----|-----|-------|
| 38 S | 9 E | WM  | 34  | NE SE |

The water user shall measure groundwater levels, on a yearly **July** reading basis and shall submit this information to the Water Resources Department annually.

This use of water is junior in priority to all subsequent rights for beneficial consumptive uses and rights using standard low-temperature geothermal effluent disposal systems. This condition shall not apply if a standard disposal system is installed and operated as part of this project.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevations in the well at all times. When required by the department, the user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The Director may require water level or pump test results every ten years.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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 within three months after issuance of the certificate.


Failure to comply with any of the provisions of this permit may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the permit.

The right is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued FEB 10 2012



Dwight W. French  
Water Right Services Administrator, for  
Phillip C. Ward, Director  
Water Resources Department