

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD FIGUERDO  
PO BOX 251  
BLY, OREGON 97622

confirms the right to use the waters of AN UNNAMED SPRING, A TRIBUTARY OF BADGER CREEK for DOMESTIC USE EXPANDED FOR ONE HOUSEHOLD.

This right was perfected under Permit 52444. The date of priority is JANUARY 11, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.003 CUBIC FOOT PER SECOND (CFS) or its equivalent in case of rotation, measured at the point of diversion.

Period of use is October 1 through May 31 for domestic use, further restricted for human consumption only from June 1 through September 30.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
37 S	15 E	WM	35	SW NW	NORTH 86 DEGREES 59 MINUTES 49 SECONDS EAST, 185.94 FEET FROM W1/4 CORNER, SECTION 35

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
37 S	15 E	WM	35	SW NW

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.

**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.

- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

The use of water allowed herein may be made only at times when waters from the spring do not flow into a tributary of the Klamath River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

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

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the 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 allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

Issued           AUG 10 2012          



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