

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON WATER UTILITIES – MOUNTAIN LAKES INC.  
5115 RUNNING Y RD  
KLAMATH FALLS OR 97601

confirms the right to the use of water perfected under the terms of Permit G-12296. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13980

SOURCE OF WATER: FOUR WELLS IN KLAMATH RIVER BASIN

PURPOSE OR USE: QUASI-MUNICIPAL

MAXIMUM RATE: 3.0 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.01 CFS FROM WELL 1, 0.56 CFS FROM WELL 2, 1.36 CFS FROM WELL 3, AND 1.89 CFS FROM RIDGEWATER WELL 1, MAXIMUM CUMULATIVE TOTAL NOT TO EXCEED 3.0 CFS

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: FEBRUARY 9, 1995

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	8 E	WM	9	NE SW	WELL 1 (ORIGINAL) - 2050 FEET NORTH AND 1980 FEET EAST FROM SW CORNER, SECTION 9
38 S	8 E	WM	9	SE SW	WELL 2 (ORIGINAL) - 790 FEET NORTH AND 2340 FEET EAST FROM SW CORNER, SECTION 9
38 S	8 E	WM	15	NW NW	WELL 3 (ORIGINAL) - 1279 FEET SOUTH AND 986 FEET EAST FROM NW CORNER, SECTION 15
38 S	8 E	WM	26	SW SE	RIDGEWATER WELL 1 (NEW) - 685 FEET NORTH AND 1475 FEET WEST FROM SE CORNER, SECTION 26

**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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
38 S	8 E	WM	3	SW SW
38 S	8 E	WM	4	SW NW
38 S	8 E	WM	4	NE SW
38 S	8 E	WM	4	NW SW
38 S	8 E	WM	4	SW SW
38 S	8 E	WM	4	SE SW
38 S	8 E	WM	4	NW SE
38 S	8 E	WM	4	SW SE
38 S	8 E	WM	4	SE SE
38 S	8 E	WM	5	SE NE
38 S	8 E	WM	5	NE SE
38 S	8 E	WM	5	NW SE
38 S	8 E	WM	5	SE SE
38 S	8 E	WM	8	NE SW
38 S	8 E	WM	8	NE SE
38 S	8 E	WM	8	NW SE
38 S	8 E	WM	9	NE NE
38 S	8 E	WM	9	NW NE
38 S	8 E	WM	9	SW NE
38 S	8 E	WM	9	SE NE
38 S	8 E	WM	9	NE NW
38 S	8 E	WM	9	NW NW
38 S	8 E	WM	9	SE NW
38 S	8 E	WM	9	NE SW
38 S	8 E	WM	9	NW SW
38 S	8 E	WM	9	SW SW
38 S	8 E	WM	9	SE SW
38 S	8 E	WM	9	NE SE
38 S	8 E	WM	9	NW SE
38 S	8 E	WM	9	SW SE
38 S	8 E	WM	9	SE SE
38 S	8 E	WM	10	NE NW
38 S	8 E	WM	10	NW NW
38 S	8 E	WM	10	SW NW
38 S	8 E	WM	10	SE NW
38 S	8 E	WM	10	NE SW
38 S	8 E	WM	10	NW SW
38 S	8 E	WM	10	SW SW

Twp	Rng	Mer	Sec	Q-Q
38 S	8 E	WM	10	SE SW
38 S	8 E	WM	15	NE NW
38 S	8 E	WM	15	NW NW
38 S	8 E	WM	15	SW NW
38 S	8 E	WM	15	SE NW
38 S	8 E	WM	15	NE SW
38 S	8 E	WM	15	NW SW
38 S	8 E	WM	15	SW SW
38 S	8 E	WM	15	SE SW
38 S	8 E	WM	15	NW SE
38 S	8 E	WM	15	SW SE
38 S	8 E	WM	16	NE NE
38 S	8 E	WM	16	NW NE
38 S	8 E	WM	16	SE NE
38 S	8 E	WM	16	NE SE
38 S	8 E	WM	25	NW SW
38 S	8 E	WM	25	SW SW
38 S	8 E	WM	25	SE SW
38 S	8 E	WM	26	SE NE
38 S	8 E	WM	26	NE SE
38 S	8 E	WM	26	NW SE
38 S	8 E	WM	26	SW SE
38 S	8 E	WM	26	SE SE
38 S	8 E	WM	35	NE NE
38 S	8 E	WM	35	NW NE
38 S	8 E	WM	35	SW NE
38 S	8 E	WM	35	SE NE
38 S	8 E	WM	35	NE SE
38 S	8 E	WM	36	NE NW
38 S	8 E	WM	36	NW NW
38 S	8 E	WM	36	SW NW
38 S	8 E	WM	36	SE NW
38 S	8 E	WM	36	NE SW
38 S	8 E	WM	36	NW SW
38 S	8 E	WM	36	SW SW
38 S	8 E	WM	36	SE SW

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order at each point of appropriation, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.

B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The water user shall monitor and report the impact of water use under this right in accordance with the approved water level monitoring plan on file with the Department. The reference levels against which any future measurements will be compared are 55.0 feet below ground surface for Well 1, 50.5 feet below ground surface for Well 2, and 295.0 feet below land surface for Well 3.

If any well listed on this right (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right.

The wells 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 the water level elevation in the well at all times.

The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same ground water source as the original points of appropriation.

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

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

Issued DEC 22 2017

  
Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department