

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DANIEL G. BROWN
3121 CROSBY STREET
KLAMATH FALLS, OREGON 97603

503-884-1701

to use the waters of TWO WELLS in the WILLIAMSON RIVER BASIN for INDUSTRIAL USE.

This permit is issued approving Application G-13073. The date of priority is AUGUST 10, 1992. The use is limited to not more than 0.06 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FROM OFFICE WELL AND 0.05 CFS FROM PLANT WELL, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

NE 1/4 SE 1/4, NW 1/4 SE 1/4, SECTION 17, T 28 S, R 8 E, W.M.;
OFFICE WELL - 340 FEET SOUTH AND 1504 FEET EAST, PLANT WELL - 644 FEET
SOUTH AND 619 FEET EAST, BOTH FROM THE C 1/4 CORNER OF SECTION 17.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 17
TOWNSHIP 28 SOUTH, RANGE 8 EAST, W.M.

The well shall be constructed 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 elevation in the well at all times.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee 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 permittee 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 permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director.

In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Actual construction work shall begin on or before September 8, 1995 and shall be completed on or before October 1, 1996. Complete application of the water shall be made on or before October 1, 1997.

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.

This permit 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.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, September 8, 1994.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director