

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

OREGON WATER UTILITIES-MOUNTAIN LAKES, INC.
ATTN: CRAIG GOTT
1325 N. GRAND AVENUE, SUITE 100
COVINA, CA 91724-4044

This superseding permit is issued to describe an amendment for additional points of appropriation and a change in place of use proposed under Permit Amendment Application T-13538 and approved by Special Order Vol. 122, Page 285, entered _____, 2021, an extension of time for complete application approved May 18, 2018, and assignments approved May 16, 2016, July 5, 2018, and September 1, 2020. This permit supersedes Permit G-15438.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15650

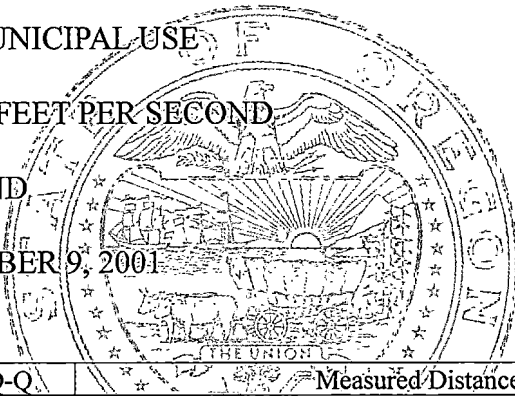
SOURCE OF WATER: FIVE WELLS IN KLAMATH LAKE BASIN

PURPOSE OR USE: QUASI-MUNICIPAL USE

MAXIMUM RATE: 4.0 CUBIC FEET PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: NOVEMBER 9, 2001



WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	8 E	WM	26	SW SE	RIDGEWATER WELL #1 - 685 FEET NORTH AND 1475 FEET WEST FROM THE SE CORNER OF SECTION 26
38 S	8 E	WM	35	NE SE	RIDGEWATER WELL #3 - 2095 FEET NORTH AND 220 FEET WEST FROM THE SE CORNER OF SECTION 35
38 S	8 E	WM	36	SW NW	RIDGEWATER WELL #4 - 2830 FEET NORTH AND 925 FEET EAST FROM THE SW CORNER OF SECTION 36
38 S	8 E	WM	36	NE SW	RIDGEWATER WELL #2 - 1595 FEET NORTH AND 1340 FEET EAST FROM THE SW CORNER OF SECTION 36
38 S	8 E	WM	36	NW SE	SOUTHVIEW WELL #1 - 2041 FEET NORTH AND 2595 FEET WEST FROM THE SE CORNER OF SECTION 36

THE PLACE OF USE IS LOCATED AS FOLLOWS:

QUASI-MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
38 S	8 E	WM	22	SE NE
38 S	8 E	WM	22	NE SE
38 S	8 E	WM	22	NW SE
38 S	8 E	WM	22	SW SE
38 S	8 E	WM	22	SE SE
38 S	8 E	WM	23	SW SW
38 S	8 E	WM	25	SW NW
38 S	8 E	WM	25	SE NW
38 S	8 E	WM	25	NE SW
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	NW NE
38 S	8 E	WM	26	SW NE
38 S	8 E	WM	26	SE NE
38 S	8 E	WM	26	NE NW
38 S	8 E	WM	26	NW NW
38 S	8 E	WM	26	SW NW
38 S	8 E	WM	26	SE NW
38 S	8 E	WM	26	NE SW
38 S	8 E	WM	26	NW SW
38 S	8 E	WM	26	SE SW
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	27	NE NE
38 S	8 E	WM	27	SE NE
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 NW
38 S	8 E	WM	35	NE SE
38 S	8 E	WM	35	SE SE
38 S	8 E	WM	36	SW NE
38 S	8 E	WM	36	SE NE
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
38 S	8 E	WM	36	NE SE
38 S	8 E	WM	36	NW SE
38 S	8 E	WM	36	SW SE
38 S	8 E	WM	36	SE SE
38 S	9 E	WM	31	SW NW

QUASI-MUNICIPAL USE				
Twp	Rng	Mer	Sec	Q-Q
38 S	9 E	WM	31	NW SW
38 S	9 E	WM	31	SW SW
39 S	8 E	WM	1	NE NE
39 S	8 E	WM	1	NW NE
39 S	8 E	WM	1	SW NE
39 S	8 E	WM	1	SE NE
39 S	9 E	WM	6	NE NE
39 S	9 E	WM	6	NW NE
39 S	9 E	WM	6	NE NW
39 S	9 E	WM	6	NW NW
39 S	9 E	WM	6	SW NW

Permit Amendment T-13538 Conditions:

The combined quantity of water diverted at the new additional points of appropriation (RidgeWater Well #1, RidgeWater Well #2, RidgeWater Well #3, and RidgeWater Well #4), together with that diverted at the old point of appropriation (Southview Well #1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Southview Well #1).

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Water shall be acquired from the same aquifer as the original point of appropriation.

Extension of Time Conditions:

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by October 1, 2023, 2028, 2033, 2038, 2043, 2048, and 2051. A form will be enclosed with your Final Order.

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Original Permit Conditions

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, 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 permit.
- 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.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well (s) or an adequate substitution such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (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 permit.

If the permittee diverts or pumps more than 40 million gallons of water under this permit during any month, the permittee shall submit to the Department a water management and conservation plan consistent with OAR Chapter 690, Division 86 with a two-year period.

The permittee shall not divert or pump more than 45 million gallons of water during any month under this permit prior to receiving the Department's approval of its water management and conservation plan submitted pursuant to OAR Chapter 690, Division 86.

Use of water under authority of this permit may be regulated if analysis of data available after the permit 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.

STANDARD CONDITIONS

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 such interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

The wells 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.

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

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.

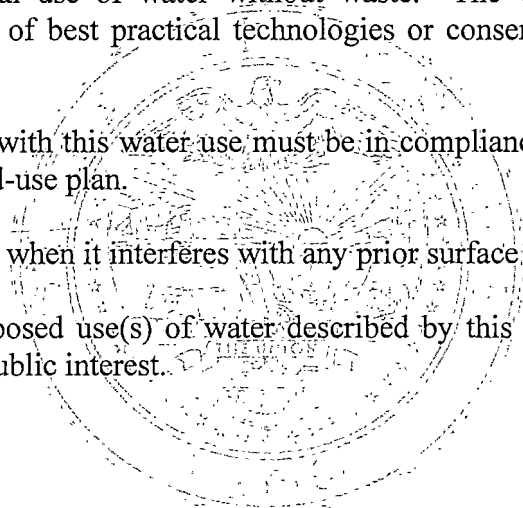
Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for 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.

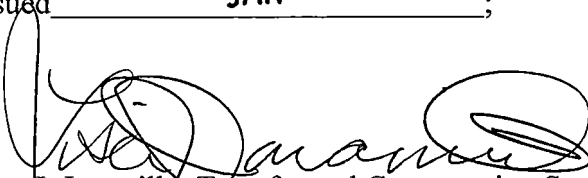
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.



The original permit was issued June 5, 2003. Complete application of the water to the use was to be made on or before October 1, 2007. By Extension of Time Final Order dated May 18, 2018, the deadline for complete application of water to the use was extended to October 1, 2052. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued JAN 03 2022;



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department