

STATE OF OREGON  
COUNTY OF KLAMATH  
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

S. SCOTT MILLER AND GENIE MILLER  
111 BELVALE DRIVE  
LOS GATOS, CALIFORNIA 95032

408-279-2332  
408-356-1363

to use the waters of A WELL in the BUCK CREEK BASIN for PRIMARY IRRIGATION OF 20.9 ACRES AND MAINTAINING 49.0 ACRES OF WETLANDS.

This permit is issued approving Application G-12710. The date of priority is NOVEMBER 18, 1991. The use is limited to not more than 0.87 CUBIC FOOT PER SECOND (CFS), BEING 0.25 CFS FOR IRRIGATION AND 0.61 CFS FOR MAINTAINING THE WETLANDS, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 SE 1/4, SECTION 23, T 38 S, R 11 1/2 E, W.M.; 50 FEET WEST FROM THE SE CORNER OF SECTION 23.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, being between March 1 and September 30.

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:

	IRRIGATION	WETLANDS
SW 1/4 SE 1/4	5.0 ACRES	4.5 ACRES
SE 1/4 SE 1/4	1.9 ACRES	36.7 ACRES
SECTION 23		
NW 1/4 SW 1/4	0.2 ACRE	0.3 ACRE
SW 1/4 SW 1/4	0.7 ACRE	2.5 ACRES
SECTION 24		
NE 1/4 NE 1/4	12.0 ACRES	5.0 ACRES
SE 1/4 NE 1/4	1.1 ACRES	
SECTION 26		
TOWNSHIP 38 SOUTH, RANGE 11 1/2 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.

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.

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Before 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 measuring device, 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 as may be required by the Director.

A regulating device shall be installed pursuant to ORS 540-310.

Use of water under this permit is subject to all prior rights.

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 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.

Actual construction work shall begin on or before June 24, 1994 and shall be completed on or before October 1, 1995. Complete application of the water shall be made on or before October 1, 1996.

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.

Issued this date, June 24, 1993.

/s/ MARTHA O. PAGEL

Water Resources Department  
Martha O. Pagel  
Director