

STATE OF OREGON  
COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

DON MONTGOMERY  
6800 SW UMATILLA RD  
REDMOND, OREGON 97756

503-923-2453

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12742

SOURCE OF WATER: A WELL IN DESCHUTES RIVER BASIN.

PURPOSE OR USE: irrigation of 10.0 acres and storage including maintenance of a pond for recreation.

The use is limited to not more than 0.142 cubic foot per second (cfs) and 2.23 acre-feet; being 0.125 cfs for irrigation, 0.017 cfs for maintenance of a pond for recreation and 2.23 acre-feet for storage, or its equivalent in case of rotation, measured at the well.

The period of allowed use is year round for maintenance of the pond and April 1 through November 1 of each year for irrigation.

DATE OF PRIORITY: December 26, 1991.

The point of appropriation location is described as follows:

SE 1/4 SE 1/4, SECTION 23, Township 15 South, Range 12 East, WM, 569 feet North and 260 feet West from the SE corner 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.

The description of the proposed place of use under the permit is described as follows:

SE 1/4 SE 1/4      10.0 Acres and Storage including Pond  
Maintenance  
SECTION 23  
TOWNSHIP 15 SOUTH, RANGE 12 EAST, WM

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*Part* ASSIGNED. See Misc. Rec., Vol. 8 Page 134

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.
- B. The permittee 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.
- C. 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.

The permittee shall obtain a static water-level measurement for each well during March of each year and report the measurement to the Department within thirty days. The measurement shall be made by a certified water-rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Water levels shall be reported as depth-to-water below ground level and shall be accompanied by supporting calculations. Reports and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurements. If a well listed on this permit displays a total static water-level decline of 10 or more feet over any period of years, as compared to the reference level, then the permittee 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 10-foot decline level or until the Department determines, based on the permittee 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 reference level for water-level declines shall be the second annual measurement taken after water use begins under the terms of this permit. The permittee shall in no instance allow excessive decline to occur within the aquifer as a result of use under this permit.

The well shall be cased and sealed to a minimum of 295 feet below land surface and 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.

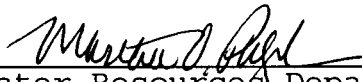
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

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 state 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.

Actual construction work shall begin within one year from permit issuance, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Dated at Salem, Oregon this 12<sup>th</sup> day of April 1996.

  
Water Resources Department  
Martha O. Pagel  
Director

"B" Ext. to: 10-1-2000

"C" Ext. to: 10-1-2000

STATE OF OREGON  
COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDGAR F. & ANNA DOWNING  
P.O. BOX 68  
BONANZA, OREGON

97623

Phone No. 541-545-6920

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-12518

SOURCE OF WATER: A WELL IN THE LOST RIVER BASIN

PURPOSE OR USE: Irrigation of 40.1 acres.

Rate of use: 0.5 CUBIC FOOT PER SECOND

Period of allowed use: MARCH 1 THROUGH SEPTEMBER 30 OF EACH YEAR.

DATE OF PRIORITY: MAY 6, 1991

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 10, T39S, R11E, W.M.; 1165 FEET SOUTH AND 50 FEET EAST FROM THE N 1/4 CORNER, SECTION 10, TOWNSHIP 39 SOUTH, RANGE 11 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4 5.1 ACRES  
SW 1/4 NE 1/4 35.0 ACRES  
Section 10  
TOWNSHIP 39 SOUTH, RANGE 11 EAST, W.M.

The use of water under this permit may expire or be extended five years from issuance of the permit. A water right certificate shall be issued at the end of the five year period if the Director finds:

- A. River stage or Bonanza Big Spring flows are not significantly diminished by use of water under this permit as determined by the Oregon Water Resources Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review;
- B. Within two years of permit issuance for primary use, the permittee/appropriator has submitted a plan to the Department indicating potential economical sources for an alternative long-term water supply;

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By G-12469  
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- C. Periodic water level reports have been submitted; and
- D. Excessively declining ground water levels have not occurred due to well use and determined by the Oregon Water Resource Department, in consultation with the Bureau of Reclamation and Oregon Department of Fish and Wildlife, using quantifiable groundwater and hydrologic science that stands up to peer review.

The amount of water used for irrigation under this right, together with the amount used under any other right existing for the same land, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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 by April 15, or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee 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 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.

A static water level measurement shall be made and submitted before any use of water may commence from the well.

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The permittee shall obtain a static water-level measurement for each well during March and September of each year and report the measurements to the Department. The measurement shall be made by a certified water rights examiner, registered geologist, licensed land surveyor or registered professional engineer, licensed water well constructors, licensed water well drillers or the permittee/appropriators. Water levels shall be reported as depth-to-water below ground level in feet and inches or to one-hundredth of a foot and shall be accompanied by supporting calculations. The water user shall report the static water level(s) in the well(s) to the Groundwater/Hydrology Section of the Water Resources Department by April 15 and October 15, respectively, of each year.

If substantial interference with a senior surface or ground water right occurs due to withdrawal of water from the well(s) listed on this permit, then use of water from such well(s) shall be discontinued or reduced or the schedule of withdrawal shall be regulated until the Department approves or implements an alternative administrative action to mitigate such interference.

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

The 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.

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

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

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.

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**SUPERSEDED**  
By G-12468  
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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.

Issued January 18, 1996



Water Resources Department  
Martha O. Pagel  
Director

**SUPERSEDED**

By G-12469  
PERMIT G-12142  
District 17

Application G-12518  
Basin 14  
CCE

Water Resources Department  
VOLUME 2 LOST RIVER & MISC.