

STATE OF OREGON

COUNTY OF DESCHUTES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BLACK BUTTE STABLES INC.  
5021 SW BANCROFT ST  
PORTLAND, OREGON 97756

(503) 923-3501

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

APPLICATION FILE NUMBER: G-13029

SOURCE OF WATER: WELLS #1 AND #2 IN DESCHUTES RIVER BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 119.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 65.0 ACRES

RATE OF USE: 2.23 CUBIC FEET PER SECOND (CFS)

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR IRRIGATION FROM MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JULY 13, 1992 FOR 1.12 CFS FROM WELL #1 AND SEPTEMBER 5, 1995 FOR 1.11 CFS FROM WELL #2

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SW 1/4 NW 1/4, SECTION 13, TOWNSHIP 14 SOUTH, RANGE 11 EAST, W.M.; WELL #1 - 681 FEET SOUTH & 46 FEET EAST FROM THE N 1/4 CORNER OF SECTION 13, WELL #2 - 1800 FEET SOUTH AND 320 FEET EAST FROM THE NW CORNER OF SECTION 13

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 PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NE 1/4	31.8 ACRES	5.0 ACRES
NE 1/4 NW 1/4	30.4 ACRES	
SW 1/4 NW 1/4	10.1 ACRES	13.5 ACRES
SE 1/4 NW 1/4	16.5 ACRES	5.5 ACRES
NE 1/4 SW 1/4	28.0 ACRES	8.0 ACRES
NW 1/4 SW 1/4	2.3 ACRES	33.0 ACRES
SECTION 13		
TOWNSHIP 14 SOUTH, RANGE 11 EAST, W.M.		

Application G-13029

Water Resources Department

PERMIT G-12471

## 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 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.

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.

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**

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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.


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.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued this date, May 14, 1996

*for*   
Martha O. Págel, Director  
Water Resources Department