

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

FLYING "A" RANCHES  
PO BOX 882  
LAKEVIEW, OREGON 97630

(702) 246-3151

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

APPLICATION FILE NUMBER: G-12148

SOURCE OF WATER: TWO WELLS IN THOMAS CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 292.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 1093.7 ACRES

RATE OF USE: 8.92 CFS, NOT TO EXCEED 4.46 CFS FROM EITHER WELL, BEING 3.65 CFS FOR IRRIGATION AND 8.92 CFS FOR SUPPLEMENTAL IRRIGATION

THE PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 19, 1990

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 6, SE 1/4 NW 1/4, SECTION 5, T 39 S, R 20 E, W.M.; WELL 1 - 100 FEET SOUTH & 50 FEET WEST FROM THE NE CORNER SECTION 6; WELL 2 - 3875.31 SOUTH 54 DEGREES 19 MINUTES AND 49 SECONDS WEST FROM NE CORNER, SECTION 5

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:

	PRIMARY	SUPPLEMENTAL
SW 1/4 SE 1/4		5.0 ACRES
SE 1/4 SE 1/4		5.0 ACRES
SECTION 31		
TOWNSHIP 38 SOUTH, RANGE 20 EAST, W.M.		

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Water Resources Department

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	PRIMARY	SUPPLEMENTAL
NE 1/4 NE 1/4	40.0 ACRES	
NW 1/4 NE 1/4	40.0 ACRES	
SW 1/4 NE 1/4	40.0 ACRES	
SE 1/4 NE 1/4	40.0 ACRES	
NE 1/4 NW 1/4	29.1 ACRES	11.8 ACRES
NW 1/4 NW 1/4	7.4 ACRES	32.0 ACRES
SW 1/4 NW 1/4		40.0 ACRES
SE 1/4 NW 1/4	5.0 ACRES	35.0 ACRES
NE 1/4 SW 1/4		39.7 ACRES
NW 1/4 SW 1/4		37.2 ACRES
SW 1/4 SW 1/4		40.0 ACRES
SE 1/4 SW 1/4		40.0 ACRES
NE 1/4 SE 1/4	14.0 ACRES	26.0 ACRES
NW 1/4 SE 1/4	14.0 ACRES	26.0 ACRES
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4	4.0 ACRES	36.0 ACRES
SECTION 5		
NE 1/4 NE 1/4		40.0 ACRES
NW 1/4 NE 1/4		40.0 ACRES
SW 1/4 NE 1/4		40.0 ACRES
SE 1/4 NE 1/4		40.0 ACRES
SECTION 6		
NE 1/4 NE 1/4		40.0 ACRES
NW 1/4 NE 1/4		40.0 ACRES
SW 1/4 NE 1/4		40.0 ACRES
SE 1/4 NE 1/4		40.0 ACRES
NE 1/4 NW 1/4		40.0 ACRES
NW 1/4 NW 1/4		40.0 ACRES
SE 1/4 NW 1/4		40.0 ACRES
NE 1/4 SW 1/4		40.0 ACRES
SE 1/4 SW 1/4		40.0 ACRES
NE 1/4 SE 1/4		40.0 ACRES
NW 1/4 SE 1/4		40.0 ACRES
SW 1/4 SE 1/4		40.0 ACRES
SE 1/4 SE 1/4		40.0 ACRES
SECTION 8		
SW 1/4 NW 1/4	22.0 ACRES	
NW 1/4 SW 1/4	22.0 ACRES	
SW 1/4 SW 1/4	15.0 ACRES	
SECTION 9		
TOWNSHIP 39 SOUTH, RANGE 20 EAST, W.M.		

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.

Ground water for use under this permit shall be produced from a depth greater than 100 feet below land surface.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order or Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

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.

The wells, for use under this permit, shall be capped in a manner which prevents the uncontrolled discharge of water due to artesian pressure.

In the interest of conserving surface water, this permit may be exercised to satisfy the primary right provided that the total quantity of water diverted from all sources does not exceed 2 1/2 acre feet per acre.

**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.

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, 1999. Complete application of the water to the use shall be made on or before October 1, 2000.

Issued *March 26*, 1997

*R. J. Sullivan*

for Water Resources Department  
Director

Application G-12148  
Basin 13

Water Resources Department  
Volume 1 Thomas Creek & Misc.  
MGMT.CODE 7BG, 7BR

PERMIT G-13110  
District 12