

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GORDON W & DEBORAH S SUMMERS  
RURAL ROUTE 1, BOX 233  
HALFWAY, OREGON 97834

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

APPLICATION FILE NUMBER: G-13750

SOURCE OF WATER: GREENER WELL WITHIN THE PINE CREEK BASIN AND MOODY WELL WITHIN THE EAST PINE CREEK BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 217.0 ACRES, BEING 128.0 ACRES FROM THE GREENER WELL AND 89.0 ACRES FROM THE MOODY WELL

MAXIMUM FLOW ALLOWED: 2.04 CFS, BEING 0.89 CFS FROM THE GREENER WELL AND 1.15 CFS FROM THE MOODY WELL

PERIOD OF USE: MOODY WELL AS CURRENTLY CONSTRUCTED

APRIL 1 THROUGH SEPTEMBER 30, EXCEPT THE USE OF WATER ALLOWED HEREIN FROM THE MOODY WELL MAY BE MADE ONLY AT TIMES WHEN EAST PINE CREEK IS DRY FOR 1320 FEET UPSTREAM AND 1320 FEET DOWNSTREAM FROM THE WELL

PERIOD OF USE: MOODY WELL IF RECONSTRUCTED OR REPLACED

THE SEASON OF USE FOR THE MOODY WELL SHALL BE APRIL 1 TO SEPTEMBER 30 IF THE WELL IS RECONSTRUCTED OR REPLACED SUCH THAT THE PRODUCTION WELL IS CASED AND SEALED INTO A CONFINING LAYER AT A MINIMUM OF 90 FEET BELOW LAND SURFACE. IF THE WELL IS REPLACED THE REPLACEMENT WELL SHALL BE IN THE GENERAL VICINITY OF THE EXISTING WELL

PERIOD OF USE: GREENER WELL - APRIL 1 TO SEPTEMBER 30

THE GREENER WELL SHALL BE RECONSTRUCTED OR REPLACED SUCH THAT THE PRODUCTION WELL IS CASED AND SEALED INTO A CONFINING LAYER AT A MINIMUM OF 90 FEET BELOW LAND SURFACE. IF THE WELL IS REPLACED THE REPLACEMENT WELL SHALL BE IN THE GENERAL VICINITY OF THE EXISTING WELL

Application G-13750

Water Resources Department

PERMIT G-13271

DATE OF PRIORITY: JULY 25, 1994

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 10, NW 1/4 NE 1/4, SECTION 16, TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.; MOODY WELL - 352 FEET SOUTH & 450 FEET WEST FROM THE S 1/16 CORNER SECTION 10; GREENER WELL - 330 FEET SOUTH & 280 FEET EAST FROM THE N 1/4 CORNER OF SECTION 16

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	GREENER WELL	MOODY WELL
SE 1/4 SE 1/4		30.0 ACRES
	SECTION 10	
SW 1/4 SW 1/4		34.0 ACRES
SE 1/4 SW 1/4		25.0 ACRES
	SECTION 11	
NE 1/4 NE 1/4	30.0 ACRES	
NW 1/4 NE 1/4	31.0 ACRES	
SW 1/4 NE 1/4	29.0 ACRES	
SE 1/4 NE 1/4	38.0 ACRES	
	SECTION 16	
	TOWNSHIP 8 SOUTH, RANGE 46 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 when water use begins each irrigation season and shall submit a report which includes this information 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.

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

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

#### **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.

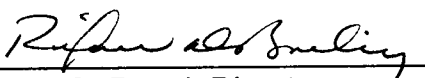
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 December 10, 1997



Martha O. Pagel, Director  
Water Resources Department

"B" Ext to: 10-1-2005

"C" Ext to: 10-1-2005

Basin 9

Volume 3 Pine Creek & Misc. and East Pine Creek & Misc.  
MGMT.CODE 7BG,7BR

District 8

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Water Resources Department

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