

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROGUE VALLEY MANOR
1200 MIRA MAR AVE
MEDFORD, OREGON 97504

(503) 773-7411

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-13129

SOURCE OF WATER: FIVE WELLS IN BEAR CREEK BASIN within the Rogue basin

PURPOSE OR USE: IRRIGATION OF 132.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 42.6 ACRES

MAXIMUM RATE: NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 2.01 CUBIC FEET PER SECOND, BEING 1.65 CFS FOR IRRIGATION AND 0.53 CFS FOR SUPPLEMENTAL IRRIGATION, FURTHER LIMITED TO 0.402 CFS FROM EACH WELL

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR PRIMARY IRRIGATION AND APRIL 1 THROUGH OCTOBER 31 FOR SUPPLEMENTAL IRRIGATION

DATE OF PRIORITY: SEPTEMBER 22, 1992

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SW 1/4 NE 1/4, SECTION 32, T37S, R1W, W.M.; WELL 1 - 1578 FEET NORTH AND 577 FEET EAST; WELL 2 - 1588 FEET NORTH AND 820 FEET EAST; WELL 3 - 1636 FEET NORTH AND 1063 FEET EAST; WELL 4 - 998 FEET NORTH AND 627 FEET EAST; WELL 5 - 588 FEET NORTH & 434 FEET EAST ALL FROM C1/4 CORNER, SECTION 32

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 2 1/2 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		8.8 ACRES
SW 1/4 NE 1/4	2.0 ACRES	27.3 ACRES
SE 1/4 NE 1/4	5.1 ACRES	5.0 ACRES
SE 1/4 NW 1/4	8.5 ACRES	
NE 1/4 SE 1/4	29.3 ACRES	
NW 1/4 SE 1/4	20.6 ACRES	
SW 1/4 SE 1/4	1.0 ACRE	
SE 1/4 SE 1/4	24.0 ACRES	1.0 ACRE
SECTION 32		

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 SW 1/4	7.3 ACRES	
SW 1/4 SW 1/4	24.3 ACRES	0.5 ACRE
SECTION 33		
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.		
NW 1/4 NW 1/4	6.6 ACRES	
SECTION 4		
NE 1/4 NE 1/4	3.5 ACRES	
SECTION 5		
TOWNSHIP 38 SOUTH, RANGE 1 WEST, 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.

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 application or permit conditions, the conclusions of the Technical Review, Initial Review or Proposed Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

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.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make and report **quarterly** static water level measurements for seven consecutive years. The static water level shall be measured in the months of January, April, July, and October. Reports shall be submitted to the Department within 30 days of measurement. The first April measurement will establish the reference level against which future April measurements will be compared. Based on an analysis of the data collected, the Director may require that the user obtain and report additional static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or restricted use shall continue until the annual water level rises above the decline level which triggered the action or until the Department determines, based on the permittee's and/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 water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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 by June 8, 1999. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued June 8, 1998



Martha O. Pagel, Director
Water Resources Department

Application G-13129	Water Resources Department	PERMIT G-13414
Basin 15	Volume 3 LARSON CR & MISC	District 13
RWK	MGMT.CODES 3BW 7BG 7BR 7CG 7CR 7FG 7FR 7JG 7JR	