

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

S. SCOTT AND GENIE MILLER
111 BELVALE DR
LOS GATOS, CA 95032

408-356-1363

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

APPLICATION FILE NUMBER: G-12710

SOURCE OF WATER: A WELL IN BUCK CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 20.9 ACRES AND MAINTENANCE OF 49.0 ACRES OF WETLANDS

MAXIMUM RATE: 0.87 CUBIC FOOT PER SECOND (CFS), BEING 0.26 CFS FOR IRRIGATION AND 0.61 CFS FOR MAINTAINING WETLANDS

PERIOD OF USE: IRRIGATION - MARCH 1 THROUGH SEPTEMBER 30
MAINTAINING WETLANDS - YEAR ROUND

DATE OF PRIORITY: NOVEMBER 18, 1991

WELL LOCATION: SE ¼ SE ¼, SECTION 23, T38S, R11.5E, W.M.; 50 FEET WEST FROM 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 PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>IRRIGATION</u>	<u>WETLANDS</u>
SW ¼ SE ¼	5.0 ACRES	4.5 ACRES
SE ¼ SE ¼	1.9 ACRES	36.7 ACRES
	SECTION 23	
NW ¼ SW ¼	0.2 ACRE	0.3 ACRE
SW ¼ SW ¼	0.7 ACRE	2.5 ACRES
	SECTION 24	

	<u>IRRIGATION</u>	<u>WETLANDS</u>
NE ¼ NE ¼	12.0 ACRES	5.0 ACRES
SE ¼ NE ¼	1.1 ACRES	
	SECTION 26	
TOWNSHIP 38 SOUTH, RANGE 11.5 EAST, W.M.		

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.

Before 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 measuring device, 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 as may be required by the Director.

A regulating device shall be installed pursuant to ORS 540.310.

Use of water under this permit is subject to all prior rights.

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 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 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.

Actual construction work shall begin on or before June 24, 1994 and shall be completed on or before October 1, 1995. Complete application of the water shall be made on or before October 1, 1996.


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.

This permit is issued to correctly describe the rate allowed for irrigation. Permit G-11603, dated June 24, 1993, is superseded by this instrument and is of no further force or effect.

Issued January 13, 2005


Phillip C. Ward, Director
Water Resources Department

