

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HIGH DESERT ESTATES HOMEOWNERS ASSOCIATION INC.
4488 SE JERRY DRIVE
PRINEVILLE, OREGON 97754

This superseding permit is issued to describe an amendment for an additional point of appropriation and change in points of appropriation proposed under Permit Amendment Application T-11268 and approved by Special Order Vol. 87, Page 7, entered JANUARY 25, 2012, and to describe an assignment approved July 11, 2008 and an extension of time for complete application of water approved March 23, 2010. This permit supersedes Permit G-13439.

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

APPLICATION FILE NUMBER: G-14046

SOURCE OF WATER: WELL LOT 163, WELL LOT 139W, WELL LOT 139E AND WELL 134 IN CROOKED RIVER BASIN

PURPOSE OR USE: GROUP DOMESTIC USE EXPANDED FOR 111 HOUSEHOLDS

MAXIMUM RATE: 0.30 CUBIC FOOT PER SECOND (CFS), BEING 0.032 CFS FROM WELL 163, 0.134 CFS FROM WELL 139W, AND 0.134 CFS FROM WELL 139E; IF AVAILABLE AT THE ORIGINAL POINTS OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	16 E	WM	21	SW SW	WELL 1 - 290 FEET NORTH AND 1123 FEET EAST FROM THE SW CORNER OF SECTION 21
15 S	16 E	WM	21	SW SE	WELL 2 - 190 FEET NORTH AND 2759 FEET EAST FROM THE SW CORNER OF SECTION 21
15 S	16 E	WM	21	NE SW	WELL 3 - 1936 FEET NORTH AND 2520 FEET EAST FROM THE SW CORNER OF SECTION 21

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: APRIL 17, 1995

POINT OF DIVERSION LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	16 E	WM	21	SW SW	WELL LOT 163 (L-32000) - LAT. 44.24834 N, LONG. -120.82326 W
15 S	16 E	WM	21	SW SE	WELL LOT 139W (L-94625) - LAT. 44.24746 N, LONG. -120.81435 W.
15 S	16 E	WM	21	SW SE	WELL LOT 139E (L-101170) - LAT. 44.24733 N, LONG. -120.81381 W.
15 S	16 E	WM	21	SW SE	WELL LOT 134 (L-01460) - LAT. 44.25000 N, LONG. -120.81534 W.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

GROUP DOMESTIC				
Twp	Rng	Mer	Sec	Q-Q
15 S	16 E	WM	21	NW NE
15 S	16 E	WM	21	SW NE
15 S	16 E	WM	21	NE NW
15 S	16 E	WM	21	NW NW
15 S	16 E	WM	21	SW NW
15 S	16 E	WM	21	SE NW
15 S	16 E	WM	21	NE SW
15 S	16 E	WM	21	NW SW
15 S	16 E	WM	21	SW SW
15 S	16 E	WM	21	SE SW
15 S	16 E	WM	21	NW SE
15 S	16 E	WM	21	SW SE

The combined quantity of water diverted at the new point of appropriation (Well Lot 134), together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

The quantity of water diverted at the new points of appropriation (Well Lot 163, Well Lot 139W, and Well Lot 139E) shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water shall be acquired from the same aquifer as the original points of appropriation.

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2012**.

- A. At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder’s diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;

- B. The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

Ground water for use under this permit shall be produced from a depth greater than 150 to 200 feet below land surface.

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. Complete application of water to the use shall be made on or before October 1, 2015. 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).

DATED January 25, 2012



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR