

STATE OF OREGON

COUNTY OF GILLIAM

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MONTY CRUM  
P.O. BOX 121  
IONE, OR 97843

**This superseding permit is issued to describe an amendment for additional points of appropriation and a change in place of use proposed under Permit Amendment Application T-11609 and approved by Special Order Vol. 92, Page 149, entered April 10, 2014 and an assignment to a new permittee approved June 10, 2013. This permit supersedes Permit G-16465.**

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

APPLICATION FILE NUMBER: G-17076

SOURCES OF WATER: WELL 1 (GILL 50189) AND WELL 2 IN EIGHTMILE CANYON BASIN

PURPOSE OR USE: IRRIGATION AND SUPPLEMENTAL IRRIGATION USE ON 385.0 ACRES

MAXIMUM RATE: 1.11 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 26, 2008

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	22 E	WM	8	SE SW	WELL 1 (GILL 50189) - 350 FEET NORTH AND 200 FEET WEST FROM THE S¼ CORNER OF SECTION 8.
1 N	22 E	WM	17	NE NE	WELL 2 - 500 FEET SOUTH AND 1025 FEET WEST FROM THE NE CORNER OF SECTION 17

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	22 E	WM	8	NE NE	6.1
1 N	22 E	WM	8	NW NE	6.5
1 N	22 E	WM	8	SW NE	7.5
1 N	22 E	WM	8	SE NE	4.2
1 N	22 E	WM	8	NE SW	21.0
1 N	22 E	WM	8	NW SW	2.0
1 N	22 E	WM	8	SW SW	23.1
1 N	22 E	WM	8	SE SW	23.0
1 N	22 E	WM	8	NE SE	5.7
1 N	22 E	WM	8	NW SE	20.9
1 N	22 E	WM	8	SW SE	14.9
1 N	22 E	WM	8	SE SE	16.4
1 N	22 E	WM	17	NE NE	39.5
1 N	22 E	WM	17	NW NE	19.1
1 N	22 E	WM	17	SW NE	6.0
1 N	22 E	WM	17	SE NE	38.6
1 N	22 E	WM	17	NE SE	16.5
TOTAL					271.0

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	22 E	WM	8	NE NE	9.3
1 N	22 E	WM	8	NW NE	30.4
1 N	22 E	WM	8	SW NE	26.2
1 N	22 E	WM	8	SE NE	0.8
1 N	22 E	WM	8	NW SW	18.9
1 N	22 E	WM	8	NE SE	10.2
1 N	22 E	WM	8	SW SE	12.6
1 N	22 E	WM	8	SE SE	5.6
TOTAL					114.0

Permit Amendment T-11609 Conditions

The combined quantity of water diverted at the new point of appropriation (Well 2), together with that diverted at the old point of appropriation (Well 1 (GILL 50189)), shall not exceed the quantity of water lawfully available at the original point of appropriation, Well 1 (GILL 50189).

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

Well 2 shall be limited in groundwater production to only a single aquifer within the Columbia River Basalt Group.

Well 2 shall be limited to a depth not to exceed 700 feet.

Well 2 shall be continuously cased and sealed to within 100 feet of the bottom of the open borehole. A larger open interval may be approved by the Department if the permittee can demonstrate to the Department's satisfaction, using packer tests or other suitable methods, that the hydraulic heads of water-bearing zones in the proposed open interval are equivalent or that the open interval is part of a continuous zone of interconnected porous materials.

Following completion of construction of Well 2, the well shall be thoroughly developed to remove cuttings and drilling fluids.

Video logs of Well 2 shall be collected to demonstrate to the satisfaction of the Department that the well is only open to a single aquifer.

The proposed point of appropriation Well 2 with a pump shall be equipped with a dedicated  $\frac{3}{4}$  inch diameter (minimum) water-level measurement tube, separate from other methods of measuring the water level such as airlines or transducers.

Drill cuttings shall be collected when Well 2 is constructed. Samples shall be collected at ten-foot intervals and at changes in lithology. A reference set of clean cuttings, in plastic sample trays, shall be submitted to the Department for each well. Select drill cuttings shall be analyzed for a comprehensive suite of major, minor, and trace elements that are appropriate for characterizing Columbia River Basalt Group stratigraphy. The data shall be compiled and the basalt stratigraphy at each new well location shall be interpreted by an Oregon registered geologist.

All hydrologic, geologic, geochemical and video data collected shall be provided to OWRD in report and in electronic format specified by the Department.

The former place of use shall no longer be irrigated as part of this permit.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the meter(s) in good working order. The permittee 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(s); provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.

The Department requires the water user to obtain, from a qualified individual (see below), and report annual static water levels for each well on the permit. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

The permittee shall report an initial March static water-level measurement once well construction is complete and annual measurements thereafter. Annual measurements are required whether or not the well is used. The first annual measurement will establish a reference level against which future measurements will be compared. However, the Director may establish the reference level based on an analysis of other water-level data. The Director may require the user to obtain and report additional water levels each year if more data are needed to evaluate the aquifer system.

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. Measurements shall be submitted on forms provided by, or specified by, the Department. Measurements shall be made with equipment that is accurate to at least the standards specified in OAR 690-217-0045. The Department requires the individual performing the measurement to:

- A. Associate each measurement with an owner's well name or number and a Department well log ID; and
- B. Report water levels to at least the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method of measurement; and
- D. Certify the accuracy of all measurements and calculations reported to the Department.

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

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

The period of restricted use shall continue until the water level rises above the decline level which triggered the action or 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 causing substantial interference with senior water rights. The water user shall not 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.

The wells shall produce ground water only from the basalt ground water reservoir.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

#### **STANDARD CONDITIONS**

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid, unless the Department authorizes the change in writing.

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 well(s) 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 airline and pressure gauge adequate to determine water level elevation in the well at all times.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

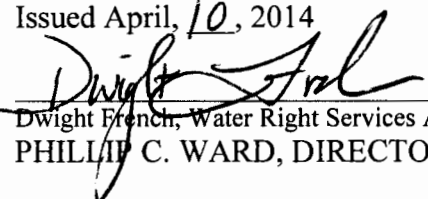
Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter. 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.

Completion of construction and application of the water shall be made within five years of the date of issuance of Permit G-16465, April 16, 2014. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued April, 10, 2014

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