

STATE OF OREGON  
COUNTY OF JEFFERSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

A J DAIRY LLC  
TIM KUNZI, MEMBER  
15873 MARQUAM RD  
MOUNT ANGEL, OR 97362

**This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-11551 and approved by Special Order Vol. 91, Page 161, entered JAN 29, 2014, and to describe an extension of time for complete application of water approved November 16, 2012 and an assignment to a new permittee approved October, 30, 2012. This permit supersedes Permit G-12367.**

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

APPLICATION FILE NUMBER: G-12176

SOURCE OF WATER: THREE WELLS IN THE CROOKED RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 114.3 ACRES

QUANTITY OF USE: 1.43 CUBIC FEET PER SECOND (CFS), BEING 0.34 CFS FROM WELL NO. 5 AND 1.09 CFS FROM WELL NO. 7

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR IRRIGATION FROM MARCH 1 THROUGH OCTOBER 31.

DATE OF PRIORITY: JULY 16, 1990

POINT OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	14 E	WM	33	SW SE	WELL 4 - 420 FEET NORTH AND 2240 FEET WEST FROM THE SE CORNER OF SECTION 33.
14 S	14 E	WM	5	NW NE	WELL 5 - 3 FEET SOUTH AND 1113 FEET WEST FROM THE SE CORNER OF SECTION 32.
14 S	14 E	WM	5	NE NE	WELL 7 - 365 FEET SOUTH AND 260 FEET EAST FROM THE SE CORNER OF 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACES OF USE ARE LOCATED AS FOLLOWS:

IRRIGATION						
WELLS 4 AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
13 S	14 E	WM	32	SW SE		0.5
13 S	14 E	WM	32	SE SE		10.8
14 S	14 E	WM	5		3	16.2

IRRIGATION						
WELLS 4 AND 7						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
13 S	14 E	WM	32	SW SE		18.5
13 S	14 E	WM	32	SE SE		24.5
14 S	14 E	WM	5	NE NE	1	6.6
14 S	14 E	WM	5	NW NE	2	20.9
14 S	14 E	WM	5	SW NE		16.3

Permit Amendment T-11551 Conditions:

The combined quantity of water diverted at the new point of appropriation, Well 4, together with that diverted at the old points of appropriation, Wells 5 and 7, shall not exceed the quantity of water lawfully available at the original points of appropriation, Wells 5 and 7.

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

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.

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.

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.

### 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.

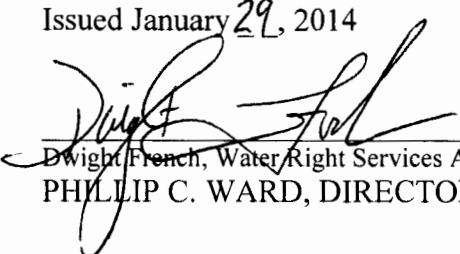
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 wells shall begin within one year from permit issuance, and shall be completed on or before October 1, 2014. Complete application of the water to the use shall be made on or before October 1, 2014.

Issued January 29, 2014

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

Application G-12176  
Basin 05

Water Resources Department  
Volume 2, Crooked River Wells  
MGMT.CODES 7BG, 7BR, 7JG, 7JR

PERMIT G-17116  
District 11