

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SURPRISE VALLEY ELECTRIFICATION CORP
516 US HWY 395E
ALTURAS, CA 96101

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

APPLICATION FILE NUMBER: G-17890

SOURCE OF WATER: SVE-4 WELL (LAKE 52506/L111501) IN CHEWAUCAN RIVER BASIN

PURPOSE OR USE: INDUSTRIAL/MANUFACTURING USES

MAXIMUM RATE: 0.509 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR-ROUND

DATE OF PRIORITY: SEPTEMBER 9, 2014

WELL LOCATION: SW ¼ NE ¼, SECTION 23, T33S, R18E, W.M.; 60 FEET NORTH AND
1680 FEET WEST FROM E1/4 CORNER, SECTION 23

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE ¼ SE ¼
SECTION 23
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

Measurement devices, and recording/reporting of annual water use 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 device in good working order.
- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which

includes 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.

- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Static Water Level Conditions

A 380 foot deep monitoring well with a casing diameter no less than 6 inches shall be constructed within 100 feet east of the proposed well (LAKE 52506/L111501). The well seal, casing, casing perforations, and well screen intervals shall be the same as well (LAKE 52506/L111501). The monitoring well must be constructed before use of water under this permit begins.

At minimum, the static groundwater level at the monitoring well shall be measured monthly by hand to the nearest 0.10 foot and reported to the Department monthly on forms provided by or specified by the Department. The first measurement must be received by the Department before use of water under this permit begins. Any use of a non-hand measurement water-level recorder device (shaft encoder, transducer, or other device) shall be in addition to the monthly hand measurement.

The reference level shall be the March 2015 static groundwater level measurement. If that measurement is missed for any reason, the reference level shall be 83 feet below land surface.

All measurements shall be made monthly 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, a hydrogeologist in the Department's Groundwater Section located in Salem. 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 Department may require the discontinuance of groundwater use, or reduce the rate or volume of withdrawal, from the well(s) if any of the following events occur:

- A. A monthly measurement is not made; or
- B. The monthly measurement is not submitted to the Department monthly or received by the Department monthly; or
- C. Annual water-level measurements reveal an average water-level decline of two or more feet per year for five consecutive years; or
- D. Annual water-level measurements reveal a water-level decline of 10 or more feet in fewer than five consecutive years; or
- E. Annual water-level measurements reveal a water-level decline of 10 or more feet; or
- F. Hydraulic interference leads to a decline of 10 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.

Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200. If a pump has been installed prior to the issuance of this permit, and if static water levels and pumping levels can be measured using an electrical tape, then the installation of the measuring tube can be delayed until such time that water levels cannot be measured or the pump is repaired or replaced.

The maximum volume allowed per month shall be equal to or less than 228.5 gallons per minute (43,986 cubic feet per day = 1.01 acre-feet per day) times the number of days in the month.

Groundwater use under LL-1450 shall terminate when groundwater use under this permit begins.

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 be subject to cancellation, unless the Department authorizes the change in writing.

If substantial interference with surface water or 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 and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port 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 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet 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 permit issuance. 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 *JUNE 30 2015*



E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director