

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BRIAN G. AND GWENDOLYN MOSLEY THORNE
THORNE RANCH
67029 S. NEWTON ROAD
BURNS, OREGON 97720

This permit is issued to describe a Split a Permit, approved by Special Order Volume 101, Page 658, entered on AUG 08 2016; to describe extensions of time for complete application of water approved December 10, 2010, and January 30, 2015; and assignments of Permit G-7124 approved April 29, 1976, December 2, 2009, March 3, 2011, June 4, 2013, February 27, 2014, June 30, 2014 and February 10, 2015. This permit, together with Permit G-17595, supersedes Permit G-7124.

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

APPLICATION FILE NUMBER: G-7079

SOURCE OF WATER: TWO WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION USE ON 155.4 ACRES

MAXIMUM RATE: 2.1 CUBIC FEET PER SECOND, being limited to 1.83 cfs from Well 1 and 0.30 from Well 5

DATE OF PRIORITY: AUGUST 18, 1975

AUTHORIZED POINTS OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	33 E	WM	18	SE NW	WELL 1 - 57 FEET SOUTH AND 393 FEET EAST FROM THE NW CORNER OF SENW OF SECTION 18
24 S	33 E	WM	18	SE NW	WELL 5 - 72.3 FEET NORTH AND 25.55 FEET WEST FROM THE SE CORNER OF SENW OF SECTION 18

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.

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	33 E	WM	18		1	34.8
24 S	33 E	WM	18		2	35.9
24 S	33 E	WM	18	NW NE		2.9
24 S	33 E	WM	18	SW NE		3.0
24 S	33 E	WM	18	NE NW		38.8
24 S	33 E	WM	18	SE NW		40.0
Total						155.4

Extension of Time Conditions:Groundwater Condition

The Department requires the water user to measure 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 submit 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 measure 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 submitted 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.

Standard Conditions

The wells shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

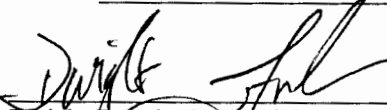
The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The original permit was issued April 4, 1977. Actual construction work was to begin on or before April 4, 1978. By an Extension of Time, the deadline for completing construction and for complete application of water to use was extended to October 1, 2019.

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 Right Examiner (CWRE).

Issued AUG 08 2016



Dwight French, Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department