

STATE OF OREGON

COUNTY OF GILLIAM

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RC MILLER
GAYLEEN MILLER
PO BOX 490
ARLINGTON, OR 97812

KEVIN HAGUEWOOD
PO BOX 195
IONE, OR 97843

This superseding permit is issued to describe an amendment for a change in points of appropriation and a change in place of use proposed under Permit Amendment Application T-12489 and approved by Special Order Vol. 108, Page 572, entered June 18, 2018, and to describe an extension of time for complete application of water approved November 4, 2004, and to describe a partial assignment to another permittee approved July 24, 2013, and to describe an extension of time for complete application of water approved November 7, 2014, and to describe a partial assignment to another permittee approved April 24, 2017. This permit supersedes Permit G-13627.

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

APPLICATION FILE NUMBER: G-14824

SOURCE OF WATER: SEVEN WELLS IN WILLOW CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 1198.4 ACRES

MAXIMUM RATE: NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 14.98 CUBIC FOOT PER SECOND(CFS), BEING 8.91 CFS FROM EACH WELL

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: SEPTEMBER 1, 1998

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	22 E	WM	4	NE NW	WELL 2 (ORIGINAL) – 149 FEET SOUTH AND 230 FEET WEST FROM THE N1/4 CORNER OF SECTION 4
1 N	22 E	WM	4	NW SE	WELL 1 (ORIGINAL) – 292 FEET SOUTH AND 2176 FEET WEST FROM E1/4 CORNER OF SECTION 4
1 N	22 E	WM	5	SE NW	WELL NO. 1 (NEW) - 740 FEET NORTH AND 70 FEET WEST FROM THE C1/4 CORNER OF SECTION 5
1 N	22 E	WM	5	NW SE	WELL 3 (ORIGINAL) – 218 FEET SOUTH AND 1963 FEET WEST FROM THE E1/4 CORNER OF SECTION 5
1 N	22 E	WM	5	NW SE	WELL NO. 4 (NEW) - 310 FEET SOUTH AND 980 FEET EAST FROM C1/4 CORNER OF SECTION 5
2 N	22 E	WM	32	SE SW	REASONER NORTH WELL NO. 2 (NEW)- 140 FEET NORTH AND 1470 FEET EAST FROM THE NW CORNER OF SECTION 5
2 N	22 E	WM	32	SE SW	REASONER SOUTH WELL NO. 3 (NEW) - 40 FEET NORTH AND 1470 FEET EAST FROM NW CORNER OF SECTION 5

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 authorized place of use is located as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Well
1 N	22 E	WM	4	NE NE		7.6	ORIGINAL WELLS NO. 1, 2, AND 3
1 N	22 E	WM	4	NW NE		39.95	
1 N	22 E	WM	4	SW NE		39.0	
1 N	22 E	WM	4	SE NE		29.2	
1 N	22 E	WM	4	NE NW		40.0	
1 N	22 E	WM	4	NW NW		28.0	
1 N	22 E	WM	4	SW NW		3.4	
1 N	22 E	WM	4	SE NW		15.35	
1 N	22 E	WM	4	NE SW		22.6	
1 N	22 E	WM	4	SE SW		24.2	
1 N	22 E	WM	4	NE SE		37.1	
1 N	22 E	WM	4	NW SE		40.0	
1 N	22 E	WM	4	SW SE		39.6	
1 N	22 E	WM	4	SE SE		33.7	
1 N	22 E	WM	5	NE NE	1	20.5	WELL 1, REASONER NORTH WELL NO 2, REASONER SOUTH WELL NO 3, AND WELL NO.4
1 N	22 E	WM	5	NW NE	2	16.1	
1 N	22 E	WM	5	SW NE		32.9	
1 N	22 E	WM	5	SE NE		8.3	
1 N	22 E	WM	5	NE NW	3	25.0	
1 N	22 E	WM	5	SE NW		13.7	
1 N	22 E	WM	5	SE SW		6.3	
1 N	22 E	WM	5	NE SE		9.2	
1 N	22 E	WM	5	NW SE		27.4	
1 N	22 E	WM	5	SW SE		33.1	
1 N	22 E	WM	5	SE SE		18.5	

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Well	
1 N	22 E	WM	9	NE NE		30.5	ORIGINAL WELLS NO. 1, 2, AND 3	
1 N	22 E	WM	9	NW NE		30.2		
1 N	22 E	WM	9	SW NE		30.0		
1 N	22 E	WM	9	SE NE		30.0		
1 N	22 E	WM	10	NE NW		30.0		
1 N	22 E	WM	10	NW NW		30.0		
1 N	22 E	WM	10	SW NW		15.2		
2 N	22 E	WM	33	NW NE		1.7		
2 N	22 E	WM	33	SW NE		39.5		
2 N	22 E	WM	33	SE NE		18.9		
2 N	22 E	WM	33	NE NW		24.8		
2 N	22 E	WM	33	NW NW		31.5		
2 N	22 E	WM	33	SW NW		33.1		
2 N	22 E	WM	33	SE NW		37.9		
2 N	22 E	WM	33	NE SW		34.85		
2 N	22 E	WM	33	NW SW		38.1		
2 N	22 E	WM	33	SW SW		21.8		
2 N	22 E	WM	33	SE SW		39.95		
2 N	22 E	WM	33	NE SE		3.7		
2 N	22 E	WM	33	NW SE		34.1		
2 N	22 E	WM	33	SW SE		31.9		
TOTAL						1198.4		

Permit Amendment T-12481 Conditions:

The combined quantity of water diverted at the new points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

Original Permit Conditions:

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells.

The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s).

Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user'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 senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

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.

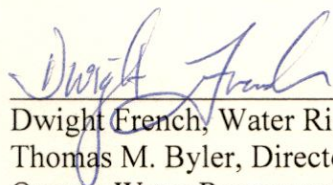
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

The original permit was issued April 16, 1999. Actual construction on the well was to begin by April 16, 2000. Complete application of the water to the use was to be made on or before October 1, 2003. By Extension of time Final Order dated November 7, 2014, the deadline for complete application of water was extended to on or before October 1, 2020. If the water is not completely applied before this date, and the permittees wish to continue development under this permit, the permittees must submit an application for extension of time, which may be approved upon the merit of the application.

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).

Issued June 18, 2018



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

