

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HOURET FAMILY LTD, PARTNERSHIP
5570 SANCHEZ DR #230
SAN JOSE, CA 95123

This superseding permit is issued to describe an amendment for a change in points of appropriation proposed under Permit Amendment Application T-12661 and approved by Special Order Vol. 109, Page 133, entered October 10, 2018, and to describe an extension of time for complete application of water approved May 26, 2017, and an assignment approved on October 25, 2016. This permit supersedes Permit G-13110.

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

APPLICATION FILE NUMBER: G-12148

SOURCE OF WATER: TWO WELLS IN THOMAS CREEK BASIN

PURPOSE OR USE: IRRIGATION OF 292.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 1093.7 ACRES

MAXIMUM RATE: 8.92 CUBIC FEET PER SECOND (CFS), NOT TO EXCEED 4.46 CFS FROM EITHER WELL, BEING 3.65 CFS FOR IRRIGATION AND 8.92 CFS FOR SUPPLEMENTAL IRRIGATION

THE PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JUNE 19, 1990

POINTS OF DIVERSION ARE LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	20 E	WM	6	NE NE	WELL 1 - SOUTH 89 DEGREES 5 MINUTES 57 SECONDS WEST AND 5325 FEET FROM THE NE CORNER OF SECTION 5
39 S	20 E	WM	5	SE NW	WELL 2 - SOUTH 53 DEGREES 45 MINUTES 24 SECONDS WEST AND 3690 FEET FROM THE NE 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 PLACE OF USE IS LOCATED AS FOLLOWS:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	20 E	WM	5	NE NE	40.0
39 S	20 E	WM	5	NW NE	40.0
39 S	20 E	WM	5	SW NE	40.0
39 S	20 E	WM	5	SE NE	40.0
39 S	20 E	WM	5	NE NW	29.1
39 S	20 E	WM	5	NW NW	7.4
39 S	20 E	WM	5	SE NW	5.0
39 S	20 E	WM	5	NE SE	14.0
39 S	20 E	WM	5	NW SE	14.0
39 S	20 E	WM	5	SE SE	4.0
39 S	20 E	WM	9	SW NW	22.0
39 S	20 E	WM	9	NW SW	22.0
39 S	20 E	WM	9	SW SW	15.0
Total					292.5

SUPPLEMENTAL IRRIGATION					
38 S	20 E	WM	31	SW SE	5.0
38 S	20 E	WM	31	SE SE	5.0
39 S	20 E	WM	5	NE NW	11.8
39 S	20 E	WM	5	NW NW	32.0
39 S	20 E	WM	5	SW NW	40.0
39 S	20 E	WM	5	SE NW	35.0
39 S	20 E	WM	5	NE SW	39.7
39 S	20 E	WM	5	NW SW	37.2
39 S	20 E	WM	5	SW SW	40.0
39 S	20 E	WM	5	SE SW	40.0
39 S	20 E	WM	5	NE SE	26.0
39 S	20 E	WM	5	NW SE	26.0
39 S	20 E	WM	5	SW SE	40.0
39 S	20 E	WM	5	SE SE	36.0
39 S	20 E	WM	6	NE NE	40.0
39 S	20 E	WM	6	NW NE	40.0
39 S	20 E	WM	6	SW NE	40.0
39 S	20 E	WM	6	SE NE	40.0
39 S	20 E	WM	8	NE NE	40.0
39 S	20 E	WM	8	NW NE	40.0
39 S	20 E	WM	8	SW NE	40.0
39 S	20 E	WM	8	SE NE	40.0
39 S	20 E	WM	8	NE NW	40.0
39 S	20 E	WM	8	NW NW	40.0
39 S	20 E	WM	8	SE NW	40.0
39 S	20 E	WM	8	NE SW	40.0
39 S	20 E	WM	8	SE SW	40.0
39 S	20 E	WM	8	NE SE	40.0

39 S	20 E	WM	8	NW SE	40.0
39 S	20 E	WM	8	SW NE	40.0
39 S	20 E	WM	8	SE NE	40.0
Total					1093.7

Permit Amendment T-12661 Conditions:

The quantity of water diverted at the new 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.

The proposed points of appropriation shall be constructed to produce water from a depth greater than 100 feet below land surface.

Water shall be acquired from the same predominantly basin fill sediment unit that overlies the predominantly volcanic rock and sediment unit as the original points of appropriation.

Extension of Time Conditions:

Permit Amendment Condition

The use of any water from Well LAKE 51848 under Permit G-13110 is subject to this Condition.

The permit holder shall submit an application to the Department for a permit amendment pursuant ORS 537.211(4) for approval of Well 1A as an authorized point of appropriation, by November 5, 2017. No water may be used from LAKE 51848 until it is authorized for use under this permit.

Well Construction Compliance Condition

No water may be used from LAKE 4076 or LAKE 50935 until the Department Groundwater Hydrology section determines, in writing, that Lake 4076 and LAKE 50935 meet the condition of "Ground water for use under this permit shall be produced from a depth greater than 100 feet below land surface." as required by Permit G-13110.

Last Extension Condition

This is to be the last extension of time granted for Permit G-13110. Any future extensions of time requests will be denied.

Original Permit Conditions:

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, 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 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.

Ground water for use under this permit shall be produced from a depth greater than 100 feet below land surface.

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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order or Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, 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 interference.

The wells, for use under this permit, shall be capped in a manner which prevents the uncontrolled discharge of water due to artesian pressure.

In the interest of conserving surface water, this permit may be exercised to satisfy the primary right provided that the total quantity of water diverted from all sources does not exceed 2 1/2 acre feet per acre.

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.

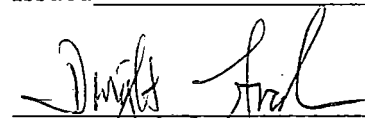
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 March 6, 1997. Complete application of the water to the use was to be made on or before October 1, 1999. By Extension of Time Final Order dated May 26, 2017, the deadline for complete application of water to use was extended to October 1, 2022. 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 OCT 10 2018;



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