

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SINGHOSE LAND AND CATTLE COMPANY, LLC  
PO BOX 55  
RILEY, OR 97758

**This superseding permit is issued to describe and correct a scrivener's error in the location of Well 2, an amendment for additional points of appropriation and a change in place of use proposed under Permit Amendment Application T-12973 and approved by Special Order Vol. 114, Page\_\_\_\_, entered January \_\_\_\_, 2020, and to describe an extension of time for complete application of water approved March 15, 2019, and an assignment approved October 13, 2014. This permit supersedes Permit G-15348.**

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

APPLICATION FILE NUMBER: G-15753

SOURCE OF WATER: FIVE WELLS IN SILVER CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 359.34 ACRES AND SUPPLEMENTAL IRRIGATION OF 47.2 ACRES

MAXIMUM RATE: 5.0 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 1

DATE OF PRIORITY: APRIL 25, 2002

WELL LOCATIONS:

Twtp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	26 E	WM	10	NE SW	WELL 5 - 2178.5 FEET NORTH AND 2205.1 FEET EAST FROM THE SW CORNER OF SECTION 10
23 S	26 E	WM	14	NE NE	WELL 2 - 1320 FEET SOUTH AND 1320 FEET EAST FROM N1/4 CORNER OF SECTION 14
23 S	26 E	WM	14	NW NW	WELL 1 - 1300 FEET SOUTH FROM THE NW CORNER OF SECTION 14
23 S	26 E	WM	14	SE NW	WELL 4 - 530 FEET NORTH AND 40 FEET WEST FROM THE C1/4 CORNER OF SECTION 14
23 S	26 E	WM	14	NW SW	WELL 3 - 130 FEET NORTH OF THE W1/4 CORNER OF SECTION 14

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
23 S	26 E	WM	10	SE SW	8.80
23 S	26 E	WM	10	SE SE	9.10
23 S	26 E	WM	14	NE NE	30.80
23 S	26 E	WM	14	NW NE	33.40
23 S	26 E	WM	14	SW NE	37.30
23 S	26 E	WM	14	SE NE	35.60
23 S	26 E	WM	14	NE NW	31.80
23 S	26 E	WM	14	NW NW	36.20
23 S	26 E	WM	14	SW NW	34.10
23 S	26 E	WM	14	SE NW	30.60
23 S	26 E	WM	14	NE SE	2.60
23 S	26 E	WM	14	NW SE	5.60
23 S	26 E	WM	15	NE NE	34.60
23 S	26 E	WM	15	NW NE	12.90
23 S	26 E	WM	15	SW NE	2.10
23 S	26 E	WM	15	SE NE	13.84
Total					359.34

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	26 E	WM	14	NE SE	21.6
23 S	26 E	WM	14	NW SE	25.6
Total					47.2

**Permit Amendment T-12973 Conditions:**

The combined quantity of water diverted at the new points of appropriation (Wells 4 and 5), together with that diverted at the old points of appropriation (Wells 1, 2, and 3), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 1, 2, and 3).

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 points of appropriation.

The former place of use shall no longer be irrigated as part of this permit.

**Extension of Time Conditions:**

**Permit Amendment Condition**

The use of any water from Well 2, or Well 3, under Permit G-15348 is subject to this Condition.

The permit holder shall not appropriate any water from Well 2, or Well 3, unless and until Permit Amendment T-12973 is approved and authorizes the use of water from Well 2, or Well 3, under Permit G-15348.

If Permit Amendment T-12973 authorizes the use of Water from Well 2, or Well 3, the reference static water levels identified in Finding of Fact 28, above shall be incorporated into a superseding permit.

If Permit Amendment T-12973 does not authorize the use of water from either Well 2, or Well 3, then the Extension of Time from October 1, 2018, to October 1, 2023, shall be of no further force or effect.

**Development Limitation**

Development under Permit G-15348 shall be limited to no more than what is authorized under Permit Amendment T-12973, and shall not include any additional points of appropriation or any additional land not identified in the map submitted with Permit Amendment T-12973, that was submitted on July 12, 2018. No change in the location of place of use that was not previously identified on this map shall be authorized, and any land identified on this map that is not authorized under Permit Amendment T-12973, shall be lost, and may not be certificated under Permit G-15348. A copy of the map is included as an attachment to the Extension of Time as "ATTACHMENT A"

**Last Extension Condition**

This shall be the last extension of time granted for Permit G-15348. Any future extensions of time request shall be denied.

**Water Use Restriction / Well Reconstruction Condition**

No water may be appropriated from Well 1, under Permit G-15348, or Well 2, or Well 3 if approved by Permit Amendment T-12973, until the permit holder submits evidence to the Department that the wells have been reconstructed to meet the requirements of groundwater production from the confined or semi-confined aquifer, and the Department's Groundwater Section approves the reconstruction, in writing, for use under Permit G-15348.



**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 device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

The production of groundwater shall be from a confined or semi-confined aquifer. At the proposed well locations, such aquifer may be developed in basalt rocks, consolidated sedimentary rocks, or interbedded basalt and sedimentary rocks. Such rocks are likely to be penetrated at a depth of 150 feet or more.

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to obtain, from a qualified individual (see below), and report annual static water-level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

**Before Use of Water Takes Place****Initial and Annual Static Water Level Measurements**

The Department requires the permittee to report an initial water-level measurement in the month specified above once well construction is complete, and annually thereafter until use of water begins; and

**After Use of Water has Begun****Reference Water Level Determination**

Following the first year of water use, the user shall submit one static water level measurement in the month specified above which will establish the reference level against which future annual measurements will be compared. The water user is not required to measure additional water levels after the reference level has been determined unless required by the Director. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

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 and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement;



- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface;
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations reported to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non or 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 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 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

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.

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.

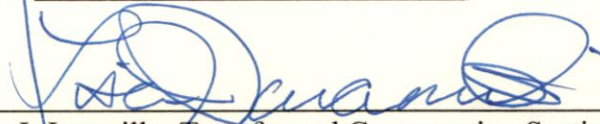
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

Superseding Permit G-15348 was issued March 6, 2003. Complete application of the water to the use was to have been made on or before October 1, 2007. By Extension of Time Final Order dated March 25, 2019, the deadline for complete application of water to use was extended to October 1, 2023. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based 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 JAN 15 2020 \_\_\_\_\_;



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Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department