

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GARY YOUNG  
BLUE MOUNTAIN RANCH  
PO BOX 14  
PAULINA, OR 97751

**This superseding permit is issued to describe an amendment for a change in points of appropriation proposed under Permit Amendment Application T-13287 and approved by Special Order Vol. 117, Page 508, entered September 15, 2020, and to describe an extension of time for complete application of water approved August 19, 2011, and an assignment approved December 13, 2006. This permit supersedes Permit G-13660.**

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

APPLICATION FILE NUMBER: G-14479

SOURCE OF WATER: EIGHT WELLS IN THE PAULINA CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 775.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 738.9 ACRES. NOT MORE THAN 800.0 ACRES SHALL BE IRRIGATED ON ROTATION EACH YEAR

MAXIMUM RATE: A CUMULATIVE TOTAL OF 10.0 CUBIC FEET PER SECOND (CFS), NOT TO EXCEED 2.4 CFS FROM EACH WELL

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MARCH 24, 1997

POINT OF DIVERSION LOCATION:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
16 S	23 E	WM	5	NW SE		WELL 2A - 2099 FEET SOUTH AND 2000 FEET WEST FROM THE NE CORNER OF SECTION 5
16 S	23 E	WM	5	NW NW	4	WELL 1A - 200 FEET SOUTH AND 250 FEET EAST FROM THE NW CORNER OF SECTION 5
16 S	23 E	WM	7	NW NE		WELL 3A - 200 FEET SOUTH AND 2500 FEET WEST FROM THE NE CORNER OF SECTION 7
16 S	23 E	WM	7	NE SW		WELL 5A - 1350 FEET NORTH AND 2300 FEET EAST FROM THE SW CORNER OF SECTION 7

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
16 S	23 E	WM	8	SW NE		WELL 4 – 2120 FEET SOUTH AND 1340 FEET WEST FROM THE NE CORNER OF SECTION 8
16 S	23 E	WM	17	SW SW		WELL 7A - 250 FEET NORTH AND 250 FEET EAST FROM THE SW CORNER OF SECTION 17
16 S	23 E	WM	17	NE SE		WELL 8A - 1800 FEET NORTH AND 900 FEET WEST FROM THE SE CORNER OF SECTION 17
16 S	23 E	WM	18	SE SW		WELL 6A - 200 FEET NORTH AND 1500 FEET EAST FROM THE SW CORNER 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 (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
16 S	23 E	WM	7	NE NE	32.0
16 S	23 E	WM	7	NW NE	5.4
16 S	23 E	WM	7	SW NE	23.2
16 S	23 E	WM	7	SE NE	34.8
16 S	23 E	WM	7	SE NW	0.1
16 S	23 E	WM	7	NE SW	1.3
16 S	23 E	WM	7	SE SW	10.8
16 S	23 E	WM	7	NE SE	35.2
16 S	23 E	WM	7	NW SE	39.2
16 S	23 E	WM	7	SW SE	37.0
16 S	23 E	WM	7	SE SE	37.2
16 S	23 E	WM	18	NE NE	33.0
16 S	23 E	WM	18	NW NE	0.6
16 S	23 E	WM	18	SE NE	8.0
16 S	23 E	WM	20	NW NE	23.0
16 S	23 E	WM	20	SW NE	38.0
16 S	23 E	WM	20	SE NE	5.5
16 S	23 E	WM	20	NE NW	13.6
16 S	23 E	WM	20	SE NW	18.0
16 S	23 E	WM	20	NE SW	20.0
16 S	23 E	WM	20	SE SW	12.0
16 S	23 E	WM	20	NE SE	38.8
16 S	23 E	WM	20	NW SE	40.0
16 S	23 E	WM	20	SW SE	36.0
16 S	23 E	WM	20	SE SE	31.2
16 S	23 E	WM	21	SW NE	13.0
16 S	23 E	WM	21	SE NE	5.5
16 S	23 E	WM	21	SW NW	2.0
16 S	23 E	WM	21	SE NW	12.3
16 S	23 E	WM	21	NE SW	2.9
16 S	23 E	WM	21	NW SW	11.0
16 S	23 E	WM	21	SW SW	20.8
16 S	23 E	WM	21	SE SW	22.8
16 S	23 E	WM	21	NE SE	6.4

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	23 E	WM	21	NW SE	7.0
16 S	23 E	WM	21	SW SE	35.2
16 S	23 E	WM	21	SE SE	32.8
16 S	23 E	WM	29	NE NE	1.8
16 S	23 E	WM	29	NW NE	26.0
16 S	23 E	WM	29	NE NW	1.8
Total					775.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	23 E	WM	5	NW NW	8.8
16 S	23 E	WM	5	SW NW	39.9
16 S	23 E	WM	5	SE NW	2.3
16 S	23 E	WM	5	NE SW	26.1
16 S	23 E	WM	5	NW SW	40.0
16 S	23 E	WM	5	SW SW	40.0
16 S	23 E	WM	5	SE SW	38.9
16 S	23 E	WM	5	NW SE	5.4
16 S	23 E	WM	5	SW SE	18.0
16 S	23 E	WM	7	NE NE	8.0
16 S	23 E	WM	7	SE NE	5.2
16 S	23 E	WM	7	NE SE	4.8
16 S	23 E	WM	7	SE SE	2.8
16 S	23 E	WM	8	NE NE	1.2
16 S	23 E	WM	8	NW NE	38.0
16 S	23 E	WM	8	SW NE	40.0
16 S	23 E	WM	8	SE NE	3.2
16 S	23 E	WM	8	NE NW	40.0
16 S	23 E	WM	8	NW NW	40.0
16 S	23 E	WM	8	SW NW	40.0
16 S	23 E	WM	8	SE NE	40.0
16 S	23 E	WM	8	NE SW	40.0
16 S	23 E	WM	8	NW SW	40.0
16 S	23 E	WM	8	SW SW	40.0
16 S	23 E	WM	8	SE SW	41.2
16 S	23 E	WM	8	NE SE	4.4
16 S	23 E	WM	8	NW SE	40.0
16 S	23 E	WM	8	SW SE	40.9
16 S	23 E	WM	8	SE SE	9.8
Total					738.9

**Permit Amendment T-13287 Conditions:**

The quantity of water diverted at the new points of appropriation (Wells 1A, 2A, 3A, 5A, 6A, 7A, and 8A), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells 1, 2, 3, 5, 6, 7, and 8).

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 new point of appropriation.
- 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.

**Extension of Time Conditions:**

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2015, and October 1, 2020.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

**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.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

### **STANDARD CONDITIONS**

The well 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.

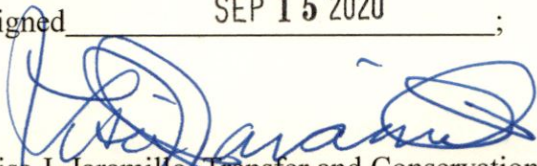
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

Actual construction work was to begin on or before April 2, 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 August 19, 2011, complete application of the water to the use is to be made on or before October 1, 2020. 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).

Signed SEP 15 2020 \_\_\_\_\_;



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