

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF PRINEVILLE
ATTN; ERIC KLANN
387 NE 3RD ST
PRINEVILLE, OR 97754

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-13446 and approved by Special Order Vol. 118, Page 788, entered March 30, 2021, an amendment for additional points of appropriation proposed under Permit Amendment Application T-13026 and approved by Special Order Vol. 113, Page 983, entered August 29, 2019, and correcting order approved by Special Order Vol. 114, Page 141, entered January 8, 2020, and to describe an assignment approved January 5, 2011, and extensions of time for complete application approved February 19, 2004, April 20, 2010, and November 8, 2019. This permit supersedes Permit G-18304.

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

APPLICATION FILE NUMBER: G-13238

SOURCE OF WATER: EIGHT WELLS IN OCHOCO CREEK BASIN

PURPOSE OR USE: INDUSTRIAL USE INCLUDING FIRE PROTECTION AND DUST CONTROL

VOLUME OF USE: 3.99 CUBIC FEET PER SECOND (CFS), BEING 1.33 CFS FROM WELL #1, YANCEY WELL 2, NEW OCHOCO HEIGHTS WELL, JUNIPER WELL, STRYKER PARK WELL, AND LAMONTA WELL 2, 1.33 CFS FROM WELL #2, YANCEY WELL 2, NEW OCHOCO HEIGHTS WELL, JUNIPER WELL, STRYKER PARK WELL, AND LAMONTA WELL 2, AND 1.33 CFS FROM WELL #3, YANCEY WELL 2, NEW OCHOCO HEIGHTS WELL, JUNIPER WELL, AND STRYKER PARK WELL, AND LAMONTA WELL 2

PERIOD OF ALLOWED USE: YEAR-ROUND

DATE OF PRIORITY: JANUARY 6, 1993

POINT OF DIVERSION LOCATIONS:

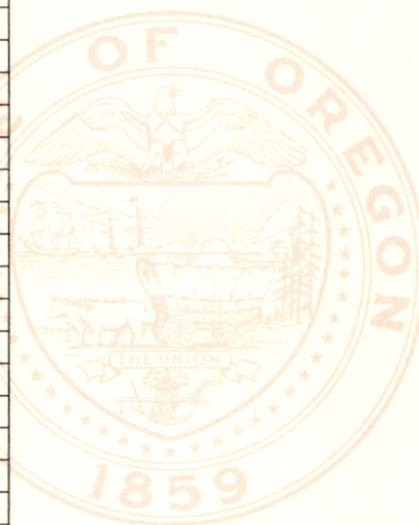
Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	16 E	WM	31	NE NE	WELL #1 - 878 FEET SOUTH AND 1009 FEET WEST FROM THE NE CORNER OF SECTION 31

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	16 E	WM	31	SW NE	WELL #2 - 1678 FEET SOUTH AND 2033 FEET WEST FROM THE NE CORNER OF SECTION 31
14 S	16 E	WM	31	NE NW	WELL #3 - 1002 FEET SOUTH AND 3087 FEET WEST FROM THE NE CORNER OF SECTION 31
14 S	16 E	WM	31	NE NW	LAMONTA WELL 2 - 765 FEET SOUTH AND 1240 FEET EAST FROM THE NW CORNER OF SECTION 31
14 S	16 E	WM	31	SW SE	YANCEY WELL 2 - 613 FEET NORTH AND 1730 FEET WEST FROM THE SE CORNER OF SECTION 31
14 S	16 E	WM	32	NW SW	NEW OCHOCO HEIGHTS WELL - 1677 FEET NORTH AND 680 FEET EAST FROM THE SW CORNER OF SECTION 32
14 S	16 E	WM	32	SE SW	JUNIPER WELL - 97 FEET NORTH AND 2493 FEET EAST FROM THE SW CORNER OF SECTION 32
15 S	16 E	WM	5	NW NW	STRYKER PARK WELL - 277 FEET SOUTH AND 812 FEET EAST FROM THE SW CORNER OF SECTION 32

THE PLACE OF USE IS LOCATED AS FOLLOWS:

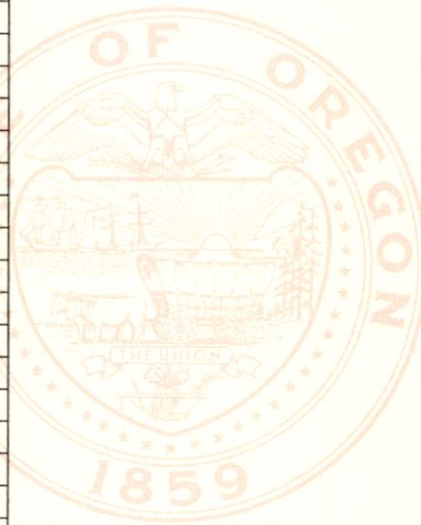
INDUSTRIAL USE INCLUDING FIRE PROTECTION AND DUST CONTROL				
Twp	Rng	Mer	Sec	Q-Q
14 S	15 E	WM	25	NE SW
14 S	15 E	WM	25	SE SW
14 S	15 E	WM	25	NW SE
14 S	15 E	WM	25	SW SE
14 S	15 E	WM	25	SE SE
14 S	15 E	WM	36	NE NE
14 S	15 E	WM	36	NW NE
14 S	15 E	WM	36	SW NE
14 S	15 E	WM	36	SE NE
14 S	15 E	WM	36	NE NW
14 S	15 E	WM	36	NE SW
14 S	15 E	WM	36	SE SW
14 S	15 E	WM	36	NE SE
14 S	15 E	WM	36	NW SE
14 S	15 E	WM	36	SW SE
14 S	15 E	WM	36	SE SE
14 S	16 E	WM	28	NW SW
14 S	16 E	WM	28	SW SW
14 S	16 E	WM	28	SE SW
14 S	16 E	WM	29	NE NE
14 S	16 E	WM	29	NW NE
14 S	16 E	WM	29	SW NE
14 S	16 E	WM	29	SE NE
14 S	16 E	WM	29	NE SW
14 S	16 E	WM	29	NW SW
14 S	16 E	WM	29	SW SW
14 S	16 E	WM	29	SE SW
14 S	16 E	WM	29	NE SE
14 S	16 E	WM	29	NW SE
14 S	16 E	WM	29	SW SE
14 S	16 E	WM	29	SE SE
14 S	16 E	WM	30	NW SW

INDUSTRIAL USE INCLUDING FIRE PROTECTION AND DUST CONTROL				
Twp	Rng	Mer	Sec	Q-Q
14 S	16 E	WM	30	SW SW
14 S	16 E	WM	30	SE SW
14 S	16 E	WM	30	SE SE
14 S	16 E	WM	31	NE NE
14 S	16 E	WM	31	NW NE
14 S	16 E	WM	31	SW NE
14 S	16 E	WM	31	SE NE
14 S	16 E	WM	31	NE NW
14 S	16 E	WM	31	NW NW
14 S	16 E	WM	31	SW NW
14 S	16 E	WM	31	SE NW
14 S	16 E	WM	31	NE SW
14 S	16 E	WM	31	NW SW
14 S	16 E	WM	31	SW SW
14 S	16 E	WM	31	SE SW
14 S	16 E	WM	31	NE SE
14 S	16 E	WM	31	NW SE
14 S	16 E	WM	31	SW SE
14 S	16 E	WM	31	SE SE
14 S	16 E	WM	32	NE NE
14 S	16 E	WM	32	NW NE
14 S	16 E	WM	32	SW NE
14 S	16 E	WM	32	SE NE
14 S	16 E	WM	32	NE NW
14 S	16 E	WM	32	NW NW
14 S	16 E	WM	32	SW NW
14 S	16 E	WM	32	SE NW
14 S	16 E	WM	32	NE SW
14 S	16 E	WM	32	NW SW
14 S	16 E	WM	32	SW SW
14 S	16 E	WM	32	SE SW
14 S	16 E	WM	32	NE SE
14 S	16 E	WM	32	NW SE
14 S	16 E	WM	32	SW SE
14 S	16 E	WM	32	SE SE
14 S	16 E	WM	33	NW NE
14 S	16 E	WM	33	SW NE
14 S	16 E	WM	33	NE NW
14 S	16 E	WM	33	NW NW
14 S	16 E	WM	33	SW NW
14 S	16 E	WM	33	SE NW
14 S	16 E	WM	33	NE SW
14 S	16 E	WM	33	NW SW
14 S	16 E	WM	33	SW SW
14 S	16 E	WM	33	SE SW
14 S	16 E	WM	33	NE SE
14 S	16 E	WM	33	NW SE
14 S	16 E	WM	33	SW SE
14 S	16 E	WM	33	SE SE
14 S	16 E	WM	34	NW SW



INDUSTRIAL USE INCLUDING FIRE PROTECTION AND DUST CONTROL				
Twp	Rng	Mer	Sec	Q-Q
15 S	15 E	WM	1	NE NE
15 S	15 E	WM	1	NW NE
15 S	15 E	WM	1	SW NE
15 S	15 E	WM	1	SE NE
15 S	15 E	WM	1	NE NW
15 S	15 E	WM	1	SE NW
15 S	15 E	WM	1	NE SW
15 S	15 E	WM	1	NW SW
15 S	15 E	WM	1	SW SW
15 S	15 E	WM	1	SE SW
15 S	15 E	WM	1	NE SE
15 S	15 E	WM	1	NW SE
15 S	15 E	WM	1	SW SE
15 S	15 E	WM	1	SE SE
15 S	15 E	WM	2	NE SW
15 S	15 E	WM	2	SW SW
15 S	15 E	WM	2	SE SW
15 S	15 E	WM	2	NE SE
15 S	15 E	WM	2	NW SE
15 S	15 E	WM	2	SW SE
15 S	15 E	WM	2	SE SE
15 S	15 E	WM	3	NE SW
15 S	15 E	WM	3	NW SW
15 S	15 E	WM	3	SW SW
15 S	15 E	WM	3	SE SW
15 S	15 E	WM	3	NE SE
15 S	15 E	WM	3	NW SE
15 S	15 E	WM	3	SW SE
15 S	15 E	WM	3	SE SE
15 S	15 E	WM	10	NE NE
15 S	15 E	WM	10	SW NE
15 S	15 E	WM	10	SE NE
15 S	15 E	WM	10	SE NW
15 S	15 E	WM	10	NE SW
15 S	15 E	WM	10	NE SE
15 S	15 E	WM	10	NW SE
15 S	15 E	WM	10	SE SE
15 S	15 E	WM	11	NE NE
15 S	15 E	WM	11	NW NE
15 S	15 E	WM	11	SW NE
15 S	15 E	WM	11	SE NE
15 S	15 E	WM	11	NE NW
15 S	15 E	WM	11	NW NW
15 S	15 E	WM	11	SW NW
15 S	15 E	WM	11	SE NW
15 S	15 E	WM	11	NE SW
15 S	15 E	WM	11	NW SW
15 S	15 E	WM	11	SW SW
15 S	15 E	WM	11	SE SW
15 S	15 E	WM	11	NE SE

INDUSTRIAL USE INCLUDING FIRE PROTECTION AND DUST CONTROL				
Twp	Rng	Mer	Sec	Q-Q
15 S	15 E	WM	11	NW SE
15 S	15 E	WM	11	SW SE
15 S	15 E	WM	11	SE SE
15 S	15 E	WM	12	NE NE
15 S	15 E	WM	12	NW NE
15 S	15 E	WM	12	SW NE
15 S	15 E	WM	12	SE NE
15 S	15 E	WM	12	NE NW
15 S	15 E	WM	12	NW NW
15 S	15 E	WM	12	SW NW
15 S	15 E	WM	12	SE NW
15 S	15 E	WM	12	NE SW
15 S	15 E	WM	12	NW SW
15 S	15 E	WM	12	SW SW
15 S	15 E	WM	12	SE SW
15 S	15 E	WM	12	NW SE
15 S	15 E	WM	12	SW SE
15 S	15 E	WM	14	NW NE
15 S	15 E	WM	14	SW NE
15 S	15 E	WM	14	NE NW
15 S	15 E	WM	14	SE NW
15 S	15 E	WM	14	NW SE
15 S	15 E	WM	14	SW SE
15 S	16 E	WM	4	NE NE
15 S	16 E	WM	4	NW NE
15 S	16 E	WM	4	SW NE
15 S	16 E	WM	4	SE NE
15 S	16 E	WM	4	NE NW
15 S	16 E	WM	4	NW NW
15 S	16 E	WM	4	SW NW
15 S	16 E	WM	4	SE NW
15 S	16 E	WM	4	NE SW
15 S	16 E	WM	4	NW SW
15 S	16 E	WM	4	SW SW
15 S	16 E	WM	4	SE SW
15 S	16 E	WM	5	NE NE
15 S	16 E	WM	5	NW NE
15 S	16 E	WM	5	SW NE
15 S	16 E	WM	5	SE NE
15 S	16 E	WM	5	NE NW
15 S	16 E	WM	5	NW NW
15 S	16 E	WM	5	SW NW
15 S	16 E	WM	5	SE NW
15 S	16 E	WM	5	NE SW
15 S	16 E	WM	5	NW SW
15 S	16 E	WM	5	SW SW
15 S	16 E	WM	5	SE SW
15 S	16 E	WM	5	NE SE
15 S	16 E	WM	5	NW SE
15 S	16 E	WM	5	SW SE



INDUSTRIAL USE INCLUDING FIRE PROTECTION AND DUST CONTROL				
Twp	Rng	Mer	Sec	Q-Q
15 S	16 E	WM	5	SE SE
15 S	16 E	WM	6	NE NE
15 S	16 E	WM	6	NW NE
15 S	16 E	WM	6	SW NE
15 S	16 E	WM	6	SE NE
15 S	16 E	WM	6	NE NW
15 S	16 E	WM	6	NW NW
15 S	16 E	WM	6	SW NW
15 S	16 E	WM	6	SE NW
15 S	16 E	WM	6	NE SW
15 S	16 E	WM	6	NW SW
15 S	16 E	WM	6	SW SW
15 S	16 E	WM	6	SE SW
15 S	16 E	WM	6	NE SE
15 S	16 E	WM	6	NW SE
15 S	16 E	WM	6	SW SE
15 S	16 E	WM	6	SE SE
15 S	16 E	WM	7	NE NE
15 S	16 E	WM	7	NW NE
15 S	16 E	WM	7	SW NE
15 S	16 E	WM	7	SE NE
15 S	16 E	WM	7	NE NW
15 S	16 E	WM	7	NW NW
15 S	16 E	WM	7	SW NW
15 S	16 E	WM	7	SE NW
15 S	16 E	WM	7	NE SW
15 S	16 E	WM	7	NW SW
15 S	16 E	WM	7	SW SW
15 S	16 E	WM	7	NE SE
15 S	16 E	WM	7	NW SE
15 S	16 E	WM	8	NW NE
15 S	16 E	WM	8	SW NE
15 S	16 E	WM	8	NE NW
15 S	16 E	WM	8	NW NW
15 S	16 E	WM	8	SW NW
15 S	16 E	WM	8	SE NW
15 S	16 E	WM	8	NE SW
15 S	16 E	WM	8	NW SW
15 S	16 E	WM	8	SE SW
15 S	16 E	WM	8	NE SE
15 S	16 E	WM	8	NW SE
15 S	16 E	WM	8	SW SE

Permit Amendment T-13446 Conditions:

The combined quantity of water diverted at the new additional point of appropriation (Lamonta Well 2), together with that diverted at the old points of appropriation (Well #1, Well #2, Well 33, Yancey Well 2, New Ochoco Heights Well, Juniper Well, and Stryker Park Well), shall not exceed the quantity of water lawfully available at the original point(s) of appropriation (Well #1, Well #2, Well 33, Yancey Well 2, New Ochoco Heights Well, Juniper Well, and Stryker Park Well).

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.

Permit Amendment T-13026 Conditions:

The combined quantity of water diverted at the new points of appropriation (Yancey Well 2, New Ochoco Heights Well, Juniper Well, and Stryker Park Well), together with that diverted at the old points of appropriation (Clear Pine Well 1, 2, and 3), shall not exceed the quantity of water lawfully available at the original points of appropriation (Clear Pine Well 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.

Extension of Time Conditions:**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2024**.
A form will be enclosed with your Final Order.

- (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 volume of water diverted each month, and shall submit a report which includes 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.

The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

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 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.

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.

Limited Water Level Decline/Interference Condition

To monitor the effect of water use from the well(s) authorized under this permit, the Department requires the water user to make 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 PlaceInitial 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 BegunSeven Consecutive Annual Static Water Level Measurements

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. The first of these seven annual measurements will establish the reference level against which future annual measurements will be compared. Based on an analysis of the data collected, the Director may require the user to obtain and report additional annual static water-level measurements beyond the seven year minimum reporting period. 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 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 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

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.

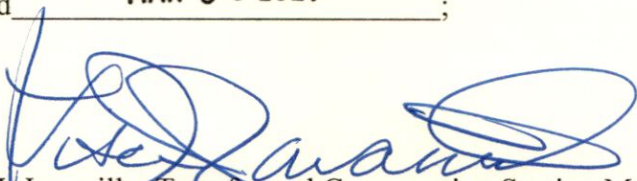
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 June 19, 1996. Completion of construction and 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 November 8, 2019, the deadline for complete application of water to the use was extended to October 1, 2026. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Issued **MAR 30 2021** _____;



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

