

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DALE BERRETT  
TONY BERRETT  
BERRETT RANCHES INC.  
3540 HWY 95  
JORDAN VALLEY OR 97910

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

APPLICATION FILE NUMBER: G-18802

SOURCE OF WATER: WELL 1 (MALH 54279/ L114885) IN JORDAN CREEK BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 246.9 ACRES

MAXIMUM RATE: 4.0 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH OCTOBER 15

DATE OF PRIORITY: MARCH 11, 2019

AUTHORIZED POINT OF APPROPRIATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	44 E	WM	27	SE NW	2302 FEET SOUTH AND 2569 FEET EAST FROM NW CORNER, SECTION 27

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-SIXTIETH of one cubic foot per second and 2.0 acre-feet for each acre irrigated prior to June 1, thereafter, 0.5 acre-feet for each acre irrigated per month, with the total quantity not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.

**AUTHORIZED PLACE OF USE:**

Twp	Rng	Mer	Sec	Q-Q	Acres
30 S	44 E	WM	27	NE NE	20.0
30 S	44 E	WM	27	NW NE	39.5
30 S	44 E	WM	27	SW NE	36.9
30 S	44 E	WM	27	SE NE	35.1
30 S	44 E	WM	27	NE NW	38.8
30 S	44 E	WM	27	NW NW	33.5
30 S	44 E	WM	27	SW NW	21.3
30 S	44 E	WM	27	SE NW	21.8

**PERMIT SPECIFIC CONDITIONS**

1. 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.
2. **Water Use Measurement, Recording, and Reporting:**
  - A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of appropriation. The permittee shall maintain the device in good working order.
  - 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.
  - C. The permittee shall keep a complete record of the volume of water used each month, and shall submit an annual 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.
  - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

**3. Groundwater Condition:**

The permittee shall allow Department staff access to Well 1 (MALH 54279/ L114885) to conduct routine water level measurements to assess potential changes to groundwater elevation with increased use.

**4. Well Identification Tag:**

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.



### **STANDARD CONDITIONS**

1. If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.
2. If substantial interference with surface water or 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.
3. The well(s) shall be constructed and maintained in accordance with the General Standards for the Construction and Maintenance of Water Supply Wells in Oregon. The works shall be equipped with a usable access port adequate to determine water-level elevation in the well at all times.
4. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
5. 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.
6. 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.

### **DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS**

1. Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.
2. Construction of the well shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the construction deadline to begin is missed.
3. Complete application of the water shall be made within five years of the date of permit issuance. 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.

4. 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.

**APR 07 2023**

Issued \_\_\_\_\_

*Katherine Ratcliffe*

Katherine Ratcliffe

Water Rights Section Manager, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department