

Permit Amendments

- If you propose to amend multiple permits under this application, a **separate set of pages 3 through 7** must be provided for **each** permit. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

Ground Water Registration Modifications

- You may propose modification of **only one** ground water registration per application, unless in accordance with OAR 690-382-0300(2), the ground water registrations to be modified are layered. (**NOTE: Concurrent changes to a water right must be filed separately on a transfer application.**)

4. TYPE OF AMENDMENT OR MODIFICATION PROPOSED

Please check all of the following that apply:

Point of Diversion or Appropriation	Place of Use	Character of Use
<input checked="" type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the amendment or modification.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the amendment or modification.) <p align="center"><u>Not Available for Ground Water Registrations</u></p> <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.)	<input checked="" type="checkbox"/> All of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at the current authorized location will be discontinued.) <input type="checkbox"/> Only a portion of the Permit or Registration will be exercised at a different location than currently authorized (Use of water at a <u>portion</u> of the current authorized location will be discontinued.) <p align="center">RECEIVED MAY 02 2007</p>	<p align="center"><u>Not Available for Permit Amendments</u></p> <p>Change existing authorized use to the following proposed <u>new use</u>:</p> <input type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Domestic (indicate number of households): _____ <input type="checkbox"/> Other _____

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- Reason(s) for amendment/modification(s): (1) Correct the locations of the two authorized points of appropriation (Airport Well 1 and Airport Well 2) stated on the permit, (2) add Airport Well 1 as an additional point of appropriation for the rate of Airport Well 2 and add Airport Well 2 as an additional point of appropriation for the rate of Airport Well 1, and (3) update the place of use to encompass the City's service area in its entirety.

5. CURRENT PERMIT OR REGISTRATION INFORMATION

Permit or Registration to be Amended/Modified (*check and complete one of the following*):

<input checked="" type="checkbox"/>	Permit to be Amended:	<u>G-16146</u> <small>Permit Number</small>	<u>12/29/2026</u> <small>Current Completion Date of Permit</small>
<input type="checkbox"/>	Ground Water Registration to be Modified:	_____ <small>Ground Water Registration Number</small>	<i>NOTE: Concurrent changes to a water right must be filed separately on a transfer application.</i>

- Name on Permit or Registration: City of Prineville
- County: Crook County
- Authorized Use(s) to be affected by this Amendment/Modification: Municipal water supply
- Priority Date(s): 03/31/2003

If there are multiple Priority Dates identified on the Permit or Registration, any information provided on pages 4 through 7 must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

All Source(s) of Water to be affected by this Amendment/Modification: Both authorized points of appropriation listed on the permit: Airport Well 1 and Airport Well 2.

Tributary to: Both wells within Ochoco Creek Basin

If there are multiple Sources listed on the Permit or Registration, any information provided on pages 4 through 7 must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For an application proposing a Change in Place of Use or Character of Use:

- Are there any other “Layered” Water Rights, Permits, or Ground Water Registrations issued for Irrigation purposes that are appurtenant to the same place of use as the Permit or Registration being Amended/Modified? Yes No N/A -No Change in Use or Place of Use

If “Yes”, pursuant to ORS 540.510, OAR 690-380-2240 and OAR 690-382-0200, the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).

- Remarks: _____

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- The following information **must be provided only** for those points of diversion or appropriation that **are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.)** Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion/appropriation that will be affected by the proposed amendment/modification, the "FROM" point(s) of diversion/appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Airport Well 1 (CROO 1894/50095)	3/31/2003	15 S	15 E	WM	11	SE SW	--	1290 feet North and 1950 feet East from SW corner, Section 11
Airport Well 2 (Not constructed)	3/31/2003	15 S	15 E	WM	11	SW SW	--	600 feet North and 20 feet East from SW corner, Section 11

- Does the permit/registration being amended/modified involve a ground water source(s)?
 - Yes
 - No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

or

- B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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- **The following information must be provided only for those places of use that are involved in the permit amendment or ground water registration modification (i.e., list only the portion of the permit/registration you propose to amend/modify.) Attach additional pages as necessary.**

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing permit or ground water registration.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands that will be affected by the proposed amendment/modification, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
All POAs, 3/31/2003	14S	15E	WM	25	ALL		
"	14S	15E	WM	36	ALL		
"	14S	16E	WM	28	ALL		
"	14S	16E	WM	29	ALL		
"	14S	16E	WM	30	ALL		
"	14S	16E	WM	31	ALL		
"	14S	16E	WM	32	ALL		
"	14S	16E	WM	33	ALL		
"	14S	16E	WM	34	ALL		
"	15S	15E	WM	1	ALL		
"	15S	15E	WM	2	ALL		
"	15S	15E	WM	3	ALL		
"	15S	15E	WM	10	ALL		
"	15S	15E	WM	11	ALL		
"	15S	15E	WM	12	ALL		
"	15S	16E	WM	3	ALL		
"	15S	16E	WM	4	ALL		
"	15S	16E	WM	5	ALL		
"	15S	16E	WM	6	ALL		
"	15S	16E	WM	7	ALL		
"	15S	16E	WM	8	ALL		
"	15S	16E	WM	9	ALL		

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6. PROPOSED PERMIT AMENDMENT OR REGISTRATION MODIFICATION

- Describe proposed changes to the permit or registration involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation: (i.e., the "TO" point(s) of diversion/appropriation)
 (NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Airport Well 1 (CROO 1894/50095)	15 S	15 E	WM	11	SE SW	--	1210 feet north and 1950 feet east from SW corner, Section 11
Airport Well 2 (Not constructed)	15 S	15 E	WM	11	SE SW	--	1165 feet north and 1990 feet east from SW corner, Section 11

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below.

(NOTE: You may search for well logs on the Department's website at: www.wrd.state.or.us)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s):

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No	Airport Well 2 (Not constructed)	20-inch 16-inch	16-inch 14-inch	450 120	450-550	100	408	450	1-inch drop tube	525-550

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- Describe proposed changes to the permit or registration involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
All POAs, 3/31/2003	14S	15E	WM	25	ALL		
"	14S	15E	WM	36	ALL		
"	14S	16E	WM	28	ALL		
"	14S	16E	WM	29	ALL		
"	14S	16E	WM	30	ALL		
"	14S	16E	WM	31	ALL		
"	14S	16E	WM	32	ALL		
"	14S	16E	WM	33	ALL		
"	14S	16E	WM	34	ALL		
"	15S	15E	WM	1	ALL		
"	15S	15E	WM	2	ALL		
"	15S	15E	WM	3	ALL		
"	15S	15E	WM	10	ALL		
"	15S	15E	WM	11	ALL		
"	15S	15E	WM	12	ALL		
"	15S	15E	WM	13	ALL		
"	15S	15E	WM	14	ALL		
"	15S	16E	WM	3	ALL		
"	15S	16E	WM	4	ALL		
"	15S	16E	WM	5	ALL		
"	15S	16E	WM	6	ALL		
"	15S	16E	WM	7	ALL		
"	15S	16E	WM	8	ALL		
"	15S	16E	WM	9	ALL		

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Remarks: The applicant is requesting the change in place of use to encompass the City's service area in its entirety. The applicant is also requesting to add Airport Well 1 as an additional point of appropriation for the rate of Airport Well 2 and add Airport Well 2 as an additional point of appropriation for the rate of Airport Well 1.

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the Permit(s) or Registration(s) proposed for amendment/modification located within or served by an irrigation or other water district? Yes No
- Will any of the Permit(s) or Registration(s) be located within or served by an irrigation or other water district after the proposed amendment/modification? Yes No
- Is water for any of the Permit(s) or Registration(s) supplied under a water service agreement or other contract for stored water with a federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:

Ochoco Irrigation District – 1001 N. Deer Street, Prineville, OR 97754

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the right(s) are located).

City of Prineville, 387 NE Third Street, Prineville, OR 97754

Crook County, 300 NE 3rd Street, Prineville, OR 97754

8. PERMIT HOLDER OF RECORD

*This section is to be completed **only** for Permit Amendment applications.*

N/A – This is a Ground Water Registration Modification application.

- Is the applicant the permit holder of record? Yes No

If "No", the applicant must either:

A. *Be assigned as a permit holder of record by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment;*

or

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- B. *Submit an **Affidavit of Consent** from the permit holder of record that gives permission for the applicant to amend the permit.*

9. LAND OWNERSHIP

If for a Permit Amendment proposing a Change in Place of Use:

- Does the permit holder of record own or control the land **TO** which the place of use is being moved? Yes No

*If "No", the owner of the land **TO** which the place of use is being moved **must be assigned to the permit as a permit holder of record** by submitting a completed **Request for Assignment** form and the required statutory fee for an assignment.*

- Check **one** of the following:
 - The permit holder of record will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to the permit holder of record.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

If for a Ground Water Registration Modification:

- Does the applicant own the lands **FROM** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Current Landowner(s): _____
First Last

Address: _____

_____ City State Zip

- Does the applicant own the lands **TO** which the registration is being moved? Yes No

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

_____ City State Zip

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- Check **one** of the following:
 - The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
 - The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

10. ATTACHMENTS

*Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.*

<p>Map: (Attachment 1)</p> <p><input checked="" type="checkbox"/> A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Land Use Information Form: (Attachment 2)</p> <p><input checked="" type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not required if all of the following are met:</p> <ol style="list-style-type: none"> ❶ In EFU zone or irrigation district; ❷ Change in place of use only; ❸ No structural changes needed, including diversion works, delivery facilities, other structures; <i>and</i> ❹ Irrigation only. <p>Water Well Reports/Well Logs: (Attachment 3)</p> <p><input checked="" type="checkbox"/> The application involves a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input checked="" type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input type="checkbox"/> N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.</p>	<p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,050</u> See the Department's Fee Schedule at www.wrd.state.or.us/OWRD/PUBS/forms.shtml or call (503) 986-0900.</p> <p><u>For Permit Amendments Only...</u></p> <p>Request for Assignment:</p> <p><input type="checkbox"/> Enclosed. The applicant is NOT the permit holder of record and needs to be assigned to the permit; OR the landowner of the proposed place of use is NOT the permit holder of record and needs to be assigned to the permit. <i>The Request for Assignment form is available online at: www.wrd.state.or.us/OWRD/PUBS/forms.shtml ; or</i></p> <p><input checked="" type="checkbox"/> N/A. The applicant is the permit holder of record and owns or controls the proposed place of use; OR the applicant is not the permit holder of record but is supplying an Affidavit of Consent from the permit holder.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> Enclosed. Because the applicant is NOT the permit holder of record, an Affidavit of Consent is being supplied that gives permission for the applicant to amend the permit; or</p> <p><input checked="" type="checkbox"/> N/A. Not required because the applicant is the permit holder of record.</p>
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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

11. SIGNATURES

- **For Ground Water Registration Modification Applications only, check the appropriate one and sign the application in the signature box below:**

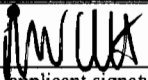
In accordance with OAR 690-382-0400(16)(a), I (we) understand that prior to Department approval of a permanent modification and upon my receipt of a draft Preliminary Determination for the proposed modification, I (we) will be required [pursuant to OAR 690-382-0700(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the modification:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed modification provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the recorded agreement and a listing of the owner(s) of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the applicant is **not both** the person named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant, as identified in the report of ownership and lien information, then **either** of the following must be provided:
 - A) Notarized statements consenting to the modification by all persons, other than the applicant, who are named on the ground water registration or identified as landowners in the report of ownership and lien information or who are authorized representatives of an entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement; **or**
 - B) Documentation demonstrating that the applicant is authorized to pursue the modification in the absence of consent of the persons named on the ground water registration or the assignee **and** the owner of the lands to which the registration is appurtenant.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-382-0400(16)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the ground water registration proposed for modification is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-382-0400(16)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for recognition of a modification under this subsection if it has filed a condemnation action to acquire the property and deposited the funds with the court as required by ORS 35.265.)

- **For both Permit Amendment and Ground Water Registration Modification Applications, I (we) affirm that the information contained in this application is true and accurate.**

 applicant signature	Robb Conberg name (print)	4-24-07 date
_____ applicant signature	_____ name (print)	_____ date

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Attachment 1

Map

Application for a Permit Amendment – G-16146

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Location of Proposed Place of Use: (i.e., the "TO" lands)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
All POAs, 3/31/2003	14S	15E	WM	25	ALL		
"	14S	15E	WM	36	ALL		
"	14S	16E	WM	28	ALL		
"	14S	16E	WM	29	ALL		
"	14S	16E	WM	30	ALL		
"	14S	16E	WM	31	ALL		
"	14S	16E	WM	32	ALL		
"	14S	16E	WM	33	ALL		
"	14S	16E	WM	34	ALL		
"	15S	15E	WM	1	ALL		
"	15S	15E	WM	2	ALL		
"	15S	15E	WM	3	ALL		
"	15S	15E	WM	10	ALL		
"	15S	15E	WM	11	ALL		
"	15S	15E	WM	12	ALL		
"	15S	15E	WM	13	ALL		
"	15S	15E	WM	14	ALL		
"	15S	16E	WM	3	ALL		
"	15S	16E	WM	4	ALL		
"	15S	16E	WM	5	ALL		
"	15S	16E	WM	6	ALL		
"	15S	16E	WM	7	ALL		
"	15S	16E	WM	8	ALL		
"	15S	16E	WM	9	ALL		

STATE OF OREGON

COUNTY OF CROOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF PRINEVILLE
387 NE THIRD STREET
PRINEVILLE, OR 97754

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

APPLICATION FILE NUMBER: G-15974

SOURCE OF WATER: TWO WELLS IN OCHOCO CREEK BASIN WITHIN THE
DESCHUTES RIVER BASIN

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE/VOLUME: 1.715 CUBIC FEET PER SECOND (CFS), BEING 0.60
CFS FROM WELL 1 (AIRPORT WELL #1), AND 1.115 CFS FROM WELL 2
(AIRPORT WELL #2), LIMITED TO A MAXIMUM ANNUAL VOLUME OF 1242.0 ACRE
FEET (AF), FURTHER LIMITED BY THE CORRESPONDING MITIGATION PROVIDED
UNDER THE INCREMENTAL MITIGATION DEVELOPMENT PLAN

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: MARCH 31, 2003

WELL LOCATIONS:

WELL #1 (AIRPORT WELL #1) (CROO 1894):
SE ¼ SW ¼, SECTION 11, T15S, R15E, W.M.; 1290 FEET NORTH &
1950 FEET EAST FROM SW CORNER, SECTION 11

WELL #2 (AIRPORT WELL #2):
SW ¼ SW ¼, SECTION 11, T15S, R15E, W.M.; 600 FEET NORTH & 20
FEET EAST FROM SW CORNER, SECTION 11

THE PLACE OF USE IS LOCATED AS FOLLOWS:
WITHIN THE MUNICIPAL SERVICE BOUNDARY OF THE CITY OF
PRINEVILLE

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter on each well. The totalizing flow meter must be installed and

Application G-15974 Water Resources Department PERMIT G-16146

T-10378

maintained in good working order consistent with those standards identified in OAR 690-507-645(1) through 3. The permittee 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 meters; provided however, where the meter 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. However, the use of ground water allowed under the terms of this permit will not be subject to regulation for Scenic Waterway flows so long as mitigation is maintained.

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 Place

Initial and Annual Measurements

The Department requires the permittee to submit 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

Seven Consecutive Annual 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 that the user 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 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; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted 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 non or restricted use shall continue until the water level rises above the decline level which triggered the action or until 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.

GROUND WATER MITIGATION CONDITIONS

Mitigation Obligation: 496.8 acre-feet of mitigation water in the Crooked River Zone of Impact (anywhere in the Crooked River Basin above River Mile 13.8)

Mitigation Source: Mitigation Credits or a Mitigation Project, in accordance with the incremental development plan on file with the Department, meeting the requirements of OAR Chapter 690, Division 505 (Deschutes Ground Water Mitigation Rules).

The first stage of incremental development was met with 104.4 AF of mitigation, being mitigation water resulting from Mitigation Project MP-25, a permanent instream transfer that meets the requirements of OAR 690-505-0610(2)-(5), within the Crooked River Zone of Impact.

Mitigation water must be legally protected instream for instream use within the Crooked River Zone of Impact and committed for life of the permit and subsequent certificate(s). Regulation of the use and/or cancellation of the permit, or subsequent certificate(s) will occur if the required mitigation is not maintained.

If mitigation is from a secondary right for stored water from a storage project not owned or operated by the permittee, the use of water under this right is subject to the terms and conditions of a valid contract, or a satisfactory replacement, with the owner/operator of the storage project, a copy of which must be on file in the records of the Water Resources Department prior to use of water.

The permittee shall provide additional mitigation if the Department determines that average annual consumptive use of the subject appropriation has increased beyond the originally mitigated amount.

The permittee shall provide mitigation prior to each stage of development under the permit, as described in the incremental development mitigation plan on file with the Department, and in accordance with the standards of the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505.

The permittee shall not increase the rate or amount of water diverted, as described in the incremental development mitigation plan, prior to increasing the corresponding mitigation.

The permittee shall seek and receive Department approval prior to changing the incremental mitigation development plan and related mitigation obligation for each stage of permit development.

The permittee shall report to the Department the progress of implementing the incremental mitigation development plan and related mitigation no later than April 1 of each year. This annual notification is not necessary if the permittee has completed development and submitted a Claim of Beneficial Use to the Department.

Within two years of permit issuance, the permittee shall submit a new or updated Water Management and Conservation Plan pursuant to OAR Chapter 690, Division 86.

Failure to comply with these mitigation conditions shall result in the Department regulating the ground water permit, or subsequent certificate(s), proposing to deny any permit extension application for the ground water permit, and proposing to cancel the ground water permit, or subsequent certificate(s).

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 permit holder shall commence and complete the construction of any proposed works within 20 years from the date of permit issuance. The Department may order and allow an extension of time to complete construction or to perfect a water right beyond 20 years from the date of permit issuance.

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 December 29, 2006



Phillip C. Ward, Director
Water Resources Department

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