

**Oregon Water Resources Department  
Water Right Services Division**

|                                                  |                           |
|--------------------------------------------------|---------------------------|
| Water Right Application G-18394 in the name of ) |                           |
| JOSHUA R. REEVE )                                | FINAL ORDER INCORPORATING |
| )                                                | SETTLEMENT AGREEMENT      |

**Summary:** Order approving Application G-18394, as amended, and issuing Permit G-19018.

***Authority***

The application was processed in accordance with Oregon Revised Statute (ORS) 537.615 through 537.628, and 390.826, and Oregon Administrative Rule (OAR) Chapter 690, Divisions 5, 8, 9, 33, 300, 310, 400, 410 and the Umatilla Basin Program (OAR 690-507). These statutes and rules can be viewed on the following website: [www.oregon.gov/OWRD/programs/policylawandrules](http://www.oregon.gov/OWRD/programs/policylawandrules)

The Department's main page is: [www.oregon.gov/OWRD](http://www.oregon.gov/OWRD)

This Final Order is issued pursuant to ORS 537.625, 183.417(3) and OAR 690-310-0200.

**FINDINGS OF FACT**

1. On September 28, 2016, Joshua R. Reeve submitted an application to the Department for a water use permit.
2. On July 3, 2018, the Department issued a Superseding Proposed Final Order recommending approval of the application. The protest period closed on August 17, 2018.
3. The findings of fact in the Superseding Proposed Final Order are incorporated herein subject to the following amendments and additions.
4. On August 17, 2018, West Extension Irrigation District filed a timely protest to the Proposed Final Order.
5. On July 15, 2026, the applicant, the Department and West Extension Irrigation District entered into a settlement agreement to resolve the protest (Settlement Agreement). Permit conditions agreed to pursuant to the Settlement Agreement are incorporated as permit conditions in the permit issued by this Final Order. The Settlement Agreement is incorporated into and attached to this Final Order.

### **CONCLUSIONS OF LAW**

1. The conclusions of law in the Superseding Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, will ensure the preservation of the public welfare, safety and health.

NOTE: When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety and health.

### **ORDER**

Application G-18394, as amended, is approved, and Permit G-19018 is issued.

DATED JULY 31, 2026



Raymond Eliot Crafton  
Water Rights Section Manager, for  
Ivan Gall, Director  
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Will Davidson at [will.d.davidson@water.oregon.gov](mailto:will.d.davidson@water.oregon.gov) or 503-507-2749.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900
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**BEFORE THE OREGON WATER RESOURCES DEPARTMENT**

|                                                  |   |                      |
|--------------------------------------------------|---|----------------------|
| In the Matter of Water Right Application G-18394 | ) | SETTLEMENT AGREEMENT |
|                                                  | ) |                      |
|                                                  | ) |                      |
| Joshua Reeve                                     | ) |                      |
| <i>Applicant</i>                                 | ) |                      |
|                                                  | ) |                      |
| West Extension Irrigation District               | ) |                      |
| <i>Protestant</i>                                | ) |                      |

The Oregon Water Resources Department (“Department”), Joshua Reeve (“Applicant”), and West Extension Irrigation District (“WEID”) (collectively, the “Parties”), do hereby stipulate and agree in this Settlement Agreement as follows:

**A. RECITALS**

1. On September 28, 2016, Applicant filed an application for a permit to use groundwater with the Department. The Department assigned the application number G-18394.
2. On July 3, 2018, the Department issued a superseding proposed final order (“PFO”) recommending approval of Application G-18394 and issuance of the draft permit attached to the PFO.
3. On August 17, 2018, WEID filed a timely protest of the PFO (“Protest”).
4. On September 12, 2024, the Oregon Water Resources Commission approved the amendment, repeal, and adoption of certain rules pertaining to allocation of new groundwater rights in Oregon Administrative Rules Chapter 690, Divisions 8, 9, 300, and 410 (“2024 Groundwater Rule Changes”). Under ORS 536.031, the 2024 Groundwater Rule Changes do not apply to Application G-18394 but do apply to applications for new groundwater rights received on or after September 17, 2024. The 2024 Groundwater Rule Changes address many of the concerns raised in the Protest regarding the cumulative effect of groundwater right approvals on WEID’s water rights in the Umatilla Basin.
5. Following settlement discussions, the Parties have agreed the Protest shall be settled on the following terms:

## **B. AGREEMENT**

1. After all Parties have signed this Settlement Agreement, the Department shall issue a final order and permit substantively equivalent to the attached draft Final Order Incorporating Settlement Agreement and draft permit, attached hereto as Attachment #1 and incorporated into this Settlement Agreement by reference.
2. Effective upon the signing of this Settlement Agreement by the Parties, Applicant and WEID waive any and all right to petition for judicial review of this Settlement Agreement, and waive any and all right to request reconsideration, petition for judicial review of, or appeal the Final Order Incorporating Settlement Agreement and permit issued pursuant to this Settlement Agreement.
3. The Parties certify that they have read, understand, and agree with the entire Settlement Agreement including the draft Final Order Incorporating Settlement agreement and draft permit, have had a reasonable opportunity to request changes to the Settlement Agreement, and have signed the Settlement Agreement of their own free will and accord.
4. This Settlement Agreement and the Final Order Incorporating Settlement Agreement and permit issued pursuant to this Settlement Agreement constitute the complete and final resolution of the Protest.
5. This Settlement Agreement and all documents incorporated by reference set forth the entire agreement entered into among the Parties.
6. Each Party to this Settlement Agreement represents, warrants, and agrees that the person who executes this Settlement Agreement on its behalf has the full right and authority to enter into this Settlement Agreement on behalf of that Party and bind that Party to the terms of this Settlement Agreement.
7. Nothing in this Settlement Agreement or the Final Order Incorporating Settlement Agreement and permit issued pursuant to this Settlement Agreement establishes factual, legal, or policy precedent.
8. This Settlement Agreement may be signed in counterparts.

\*\*\*\*\*Signatures Next Page\*\*\*\*\*



\_\_\_\_\_  
Raymond Eliot Crafton  
Water Rights Section Manager, for  
Ivan Gall, Director  
Oregon Water Resources Department

\_\_\_\_\_  
7/15/2026

Date

\_\_\_\_\_  
Joshua Reeve

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_ for West Extension Irrigation District

\_\_\_\_\_  
Date

\_\_\_\_\_  
Raymond Eliot Crafton  
Water Rights Section Manager, for  
Ivan Gall, Director  
Oregon Water Resources Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Joshua Reeve

\_\_\_\_\_  
Date

Beverly J. Bridgewater  
Manager for West Extension Irrigation District  
Beverly J. Bridgewater

6/25/2026  
Date

\_\_\_\_\_  
Raymond Eliot Crafton  
Water Rights Section Manager, for  
Ivan Gall, Director  
Oregon Water Resources Department

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Joshua Reeve

6/30/26  
\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
for West Extension Irrigation District

\_\_\_\_\_  
Date

**Oregon Water Resources Department  
Water Right Services Division**

|                                                  |                           |
|--------------------------------------------------|---------------------------|
| Water Right Application G-18394 in the name of ) |                           |
| JOSHUA R. REEVE )                                | FINAL ORDER INCORPORATING |
| )                                                | SETTLEMENT AGREEMENT      |

**Summary:** Order approving Application G-18394, as amended, and issuing Permit G-XXXXX.

***Authority***

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This Final Order is issued pursuant to ORS 537.625, 183.417(3) and OAR 690-310-0200.

**FINDINGS OF FACT**

1. On September 28, 2016, Joshua R. Reeve submitted an application to the Department for a water use permit.
2. On July 3, 2018, the Department issued a Superseding Proposed Final Order recommending approval of the application. The protest period closed on August 17, 2018.
3. The findings of fact in the Superseding Proposed Final Order are incorporated herein subject to the following amendments and additions.
4. On August 17, 2018, West Extension Irrigation District filed a timely protest to the Proposed Final Order.
5. On \_\_\_\_\_, the applicant, the Department and West Extension Irrigation District entered into a settlement agreement to resolve the protest (Settlement Agreement). Permit conditions agreed to pursuant to the Settlement Agreement are incorporated as permit conditions in the permit issued by this Final Order. The Settlement Agreement is incorporated into and attached to this Final Order.



**CONCLUSIONS OF LAW**

1. The conclusions of law in the Superseding Proposed Final Order are incorporated herein.
2. The proposed use, as conditioned, will ensure the preservation of the public welfare, safety and health.

NOTE: When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety and health.

**ORDER**

Application G-18394, as amended, is approved, and Permit G-XXXXXX is issued.

DATED \_\_\_\_\_

Raymond Eliot Crafton  
Water Rights Section Manager, for  
Ivan Gall, Director  
Oregon Water Resources Department

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- If you have any questions about statements contained in this document, please contact Will Davidson at [will.d.davidson@water.oregon.gov](mailto:will.d.davidson@water.oregon.gov) or 503-507-2749.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900
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## STATE OF OREGON

## COUNTY OF UMATILLA

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOSHUA R. REEVE  
32301 E LOOP RD  
HERMISTON OR 97838

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

APPLICATION FILE NUMBER: G-18394

SOURCE OF WATER: WELL 4N/27 E-7 (UMAT 2791) IN HERMISTON IRRIGATION DITCH BASIN

PURPOSE OR USE: IRRIGATION OF 2.9 ACRES

MAXIMUM RATE: 0.036 CUBIC FOOT PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: SEPTEMBER 28, 2016

WELL LOCATION:

| Twp | Rng  | Mer | Sec | Q-Q   | Measured Distances                                           |
|-----|------|-----|-----|-------|--------------------------------------------------------------|
| 4 N | 29 E | WM  | 7   | SW NE | 120 FEET NORTH AND 100 FEET EAST FROM C1/4 CORNER, SECTION 7 |

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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

| Twp | Rng  | Mer | Sec | Q-Q   | Acres |
|-----|------|-----|-----|-------|-------|
| 4 N | 29 E | WM  | 7   | SW NE | 2.1   |
| 4 N | 29 E | WM  | 7   | NW SE | 0.8   |

**PERMIT SPECIFIC CONDITIONS****1. 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.
- 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, the periods of water use and 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.

**2. Groundwater Level Measurement, Reporting, and Shut-Off Condition:**

For each well on this authorization, beginning on the permit signature date for existing wells or in the year well construction is completed for new wells, and each year thereafter, the permit holder must report a static water-level measurement ("measurement") taken in March. The measurement is required whether the well is used or not. If pumping is to commence following completion of the well and prior to the next March, then a measurement must be made at least one week following well completion and before pumping commences.

Measurements must be properly reported within 30 days of measurement using forms specified by the Department. A measurement will be properly reported if the submission includes all required information as listed in the document attached. Measurements must be made with equipment that is accurate to the standards specified in Oregon Administrative Rule (OAR) 690-217-0045.

Measurements must be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed land surveyor, licensed well constructor, pump installer licensed by the Construction Contractors Board, or Department staff. The Department is not responsible for regular measurement of the static water level, but Department staff may measure the well during the normal course of groundwater level monitoring or to confirm the submitted measurement(s).

For each well on this permit, the Department will establish a reference groundwater level using the best available data. The reference level is intended to represent the highest elevation (shallowest depth) static water level that has been measured or can be reasonably estimated to have existed within each well at any time before its reference level is set. If Annual High Water Levels have been increased measurably by human activity, then the Department may set a different reference level using best available information. If the permit holder fails to measure and report the static water

level within 12 months of permit issuance, or of completion of the well(s), then Department staff will estimate the static water level using available data, including measurements in surrounding wells. In case the permit is amended or the subsequent certificate is transferred, the Department may establish a new reference level for any new or additional wells under new permits or certificates issued under this right. The reference level for a new or additional well should reflect the highest static water level in that well or, if that measurement occurred after the time represented by the original reference level, then the water level that would have been measured in that well, if the well existed and was measured at the time represented by the original reference level.

All water use authorized under this permit must immediately stop if any of the following occur:

- A. Any annual high elevation static groundwater level in any well on this permit declines 25 or more feet below the reference level for that well, or
- B. Groundwater levels are not measured and properly reported as specified above for any completed well that is authorized on the permit for two consecutive years, or
- C. Hydraulic interference contributes to a decline of 25 or more feet in any neighboring well with senior priority, at any time during the year.

The Department will determine when any of the above conditions have occurred and may order the permit holder to stop all water use under this permit. The permit holder is also responsible for stopping all water use if they become aware that any of the conditions have occurred, even without notice from the Department. Following such a stop, water use under this permit will not be allowed and may only resume once the permit holder receives notice from the Department. If the permit holder fails to stop use, then the Department may take control of the controlling works of any wells authorized under this permit and may reduce the amount of groundwater pumped until the unlawful use is eliminated.

The permit holder acknowledges that one or more of the conditions requiring stoppage of use may occur prior to any use of any well on this permit.

The Department may allow the permit holder to pause annual water level measurement and reporting requirements from some of the permitted wells if measurements from those wells are redundant with other data being collected by the Department. The permit holder must receive written notification of such an allowance before stopping measurements. If this happens, the Department may reinstate the measurement requirements at any time.

### **3. Groundwater Condition:**

Groundwater production shall only be from the alluvial groundwater reservoir.

**4. Well Identification Tag Condition:**

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**

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.

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.

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 any such interferences.

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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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.

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.

This permit is for the beneficial use of water without waste. The permittee 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.

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.

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.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

ISSUED \_\_\_\_\_

Raymond Eliot Crafton  
Water Rights Section Manager, for  
Ivan Gall, Director  
Oregon Water Resources Department