



STATE OF OREGON

County of **MALHEUR**

ASSIGNED. See Misc. Rec., Vol. 6 Page 1248

RESERVED. See Misc. Rec., Vol. 6 Page 1245 ASSIGNED. See Misc. Rec., Vol. 6 Page 1249

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION **G-10952** and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to **Paul Rutten and W.L. McDermott, jointly**, of 1213 Southwest 16th Avenue, Ontario, Oregon 97914, phone 889-3232 (home) or 889-7560 (business), for use of the waters from Well 1 with any deficiency in available supply of water from * for the PURPOSE of **power generation and heating and/or cooling in the processing of mushrooms**

that the PRIORITY OF THE RIGHT dates from **May 9, 1983** for 2.0 cubic feet per second and **July 25, 1983** for 0.67 cfs

and is limited to the amount of water which can be applied to beneficial use and shall not exceed **2.67 cfs**

measured at the point of diversion from the **wells**, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: **Well 1 - 252 feet North and 249 feet West; Well 2 - 302 feet North and 272 feet West, both from the Southwest Corner of SE 1/4 SE 1/4, Section 20, being within the SW 1/4 SE 1/4 of Section 20, Township 18 South, Range 45 East, WM, in the County of Malheur.**

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

* **Well 1 to be made up by appropriation from Well 2**

Township 18 South, Range 45 East, WM Section 20 SE 1/4 SE 1/4 Power generation and heating and/or cooling in the processing of mushrooms

Provided that the use of water for heat extraction shall be subsequent in priority to future beneficial consumptive use unless the effluent is returned to the producing or other suitable ground water reservoir or is put to secondary beneficial consumptive use as directed or approved by the Water Resources Director.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Actual construction work shall begin on or before **September 20, 1984**, and shall thereafter be prosecuted with reasonable diligence and be completed on or before **October 1, 1984**. Extended to **October 1, 1988**

Complete application of the water to the proposed use shall be made on or before **October 1, 1985**. Extended to **Oct. 1, 1988** Extended to **October 1, 1988**

Witness my hand this **20th** day of **September**, 19 **83**.

/s/ CHRIS L. WHEENIER

DEPUTY WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

APPLICATION **G-10952**

PERMIT **G10101**

"CERTIFICATE NO. 65086"