

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAYL ANN'S CHERRY LANE, INC.
JOHN W. PHILLIPS, V.P.
660 CARROLL ROAD
MOSIER, OREGON 97040

503-478-3583

to use the waters from an EXISTING WELL within MOSIER CREEK basin for FROST PROTECTION ON 19.5 ACRES. The permit to the use of these waters is issued under Application G-11774 with a date of priority of August 15, 1989. The permit is limited to not more than 400 GALLONS PER MINUTE, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NE 1/4 NE 1/4, Section 12, T 2 N, R 11 E, WM;
30 FEET NORTH & 10 FEET WEST FROM SE CORNER, NE 1/4 NE 1/4, SECTION 12.

The permit shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights as well as prior ground water rights of others. No water shall be appropriated from the Pomona Aquifer.

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The place of use is as follows for frost protection:

ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
14.40	NE NE	12	2 N	11 E
0.10	NW NE	12	2 N	11 E
5.00	NW NW	7	2 N	12 E

The permittee shall record and submit annually to the Water Resources Department all pertinent data pertaining to use of water for temperature control on forms furnished.

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a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.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 26, 1990 , and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992 .

"CERTIFICATE NO. 72357"

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This permit is for the beneficial use of water without waste. 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 granted herein may be made only at times when sufficient water is available to satisfy all prior rights.

Issued this date, September 26, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

