

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JACK G. AND BONNIE J. SMITH  
STAR ROUTE 2, 181 COW CREEK ROAD  
BURNS, OREGON 97720

503-493-2383

to use the waters of A WELL in the COW CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 211.1 ACRES.

This permit is issued approving Application G-12425. The date of priority is FEBRUARY 22, 1991. The use is limited to not more than 2.64 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NW 1/4, SECTION 35, T 22 S, R 32 1/2 E, W.M.; 2200 FEET SOUTH AND 1420 FEET EAST FROM NW CORNER, SECTION 35.

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 (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under this permit is as follows:

NE 1/4 NE 1/4	4.5 ACRES
NW 1/4 NE 1/4	6.9 ACRES
SW 1/4 NE 1/4	27.5 ACRES
SE 1/4 NE 1/4	15.5 ACRES
NE 1/4 SW 1/4	10.7 ACRES
SW 1/4 SW 1/4	7.0 ACRES
SE 1/4 SW 1/4	32.2 ACRES
NE 1/4 SE 1/4	15.5 ACRES
NW 1/4 SE 1/4	40.0 ACRES
SW 1/4 SE 1/4	37.0 ACRES
SE 1/4 SE 1/4	14.3 ACRES

SECTION 35

TOWNSHIP 22 SOUTH, RANGE 32 1/2 EAST, W.M.

The well 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. When required by the department, 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a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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.

Actual construction work shall begin on or before April 29, 1992, and shall be completed on or before October 1, 1993. Complete application of the water shall be made on or before October 1, 1994.

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 beneficial use of water without waste. The water user is advised that new regulations may require 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.

Issued this date, APRIL 29, 1991.

/s/ WILLIAM H. YOUNG

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Water Resources Department  
William H. Young  
Director