

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DONALD A. RAJNUS
30485 TRANSFORMER ROAD
MALIN, OREGON 97632

503-723-4371

to use the waters of A WELL in the LOST RIVER BASIN for IRRIGATION OF 133.07 ACRES.

This permit is issued approving Application G-12810. The date of priority is MARCH 6, 1992. The use is limited to not more than 1.66 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NE 1/4, SECTION 25, T 40 S, R 11 E, W.M.; 2086 FEET SOUTH AND 134 FEET WEST FROM THE NE CORNER OF SECTION 25.

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. The period of allowed use is March 1 through September 30.

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 SW 1/4 12.29 ACRES
NW 1/4 SW 1/4 7.19 ACRES
SW 1/4 SW 1/4 0.48 ACRE
SE 1/4 SW 1/4 33.61 ACRES
SW 1/4 SE 1/4 7.50 ACRES

SECTION 24

NW 1/4 NE 1/4 26.24 ACRES
SW 1/4 NE 1/4 4.53 ACRES
NE 1/4 NW 1/4 23.41 ACRES
SE 1/4 NW 1/4 0.69 ACRE
SE 1/4 SE 1/4 0.87 ACRE

SECTION 25

NE 1/4 NE 1/4 16.26 ACRES

SECTION 36

TOWNSHIP 40 SOUTH, RANGE 11 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.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director.

"CERTIFICATE NO. 74458

The permittee shall maintain the meter or measuring device in good working order, 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 meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from the well listed on this permit, then use of water from the well 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.

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 February 4, 1995 and shall be completed on or before October 1, 1995. Complete application of water shall be made on or before October 1, 1996.

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.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, February 4, 1994.

/s/ A. REED MARBUI

Water Resources Department
Martha O. Pagel
Director