

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CECIL J. FORTIN AND IONE M. KISER
BOX 1080
HAINES, OREGON 97833

503-856-3335

to use the waters of A SUMP in the POWDER RIVER BASIN for IRRIGATION OF 153.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 49.0 ACRES.

This permit is issued approving Application G-12747. The date of priority is JANUARY 2, 1992. The use is limited to not more than 2.5 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the sump.

The sump is located as follows:

SE 1/4 NE 1/4, SECTION 35, T 8 S, R 40 E, W.M.

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 October 31.

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	38.0 ACRES	
SE 1/4 NE 1/4	39.0 ACRES	
NE 1/4 SE 1/4		39.0 ACRES
NW 1/4 SE 1/4	40.0 ACRES	
SW 1/4 SE 1/4	34.0 ACRES	
SE 1/4 SE 1/4	2.0 ACRES	10.0 ACRES

SECTION 35
TOWNSHIP 8 SOUTH, RANGE 40 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. 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.

This right, for supplemental irrigation, is limited to any deficiency in the available supply of any prior right existing for the same land.

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 15, 1995 and shall be completed on or before October 1, 1995. Complete application of the 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, April 15, 1994.

/s/ A. REED MARBUT

Water Resources Department
Martha O. Pagel
Director

B extended to 10-1-96