

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RESERVOIR LAND COMPANY OF OREGON, INC.
1050 SANSOME STREET #300
SAN FRANCISCO, CALIFORNIA 94111

415-391-6700

to use the waters of A WELL in the WILLOW CREEK BASIN for IRRIGATION OF 277.0 ACRES.

This permit is issued approving Application G-12590. The date of priority is JUNE 24, 1991. The use is limited to not more than 960 GALLONS PER MINUTE, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SE 1/4, SECTION 14, T 14 S, R 39 E, W.M.; 1550 FEET NORTH AND 50 FEET EAST FROM THE S 1/4 CORNER OF SECTION 14.

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 April 1 through September 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:

NE 1/4 SW 1/4	39.0 ACRES
NW 1/4 SW 1/4	40.0 ACRES
SW 1/4 SW 1/4	19.0 ACRES
SE 1/4 SW 1/4	27.0 ACRES
NE 1/4 SE 1/4	40.0 ACRES
NW 1/4 SE 1/4	39.0 ACRES
SW 1/4 SE 1/4	37.0 ACRES
SE 1/4 SE 1/4	36.0 ACRES

SECTION 14

TOWNSHIP 14 SOUTH, RANGE 39 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

CERTIFICATE NO. 76983

- 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.

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.

The well shall be reconstructed by casing and sealing the well to a minimum depth of 124 feet below land surface. The adequacy of the reconstruction of the well shall be approved by the Groundwater/Hydrology Section prior to water being appropriated under this permit.

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

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