

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HERB DAVIS AND SONS
HC 72 BOX 120
PRINCETON, OREGON 97721

503-493-2538

NORTHWEST FARM CREDIT SERVICES ACA
P.O. BOX 607
REDMOND, OREGON 97756

to use the waters of WELLS NO. 1 AND NO. 2 in the WARNER LAKES BASIN for IRRIGATION OF 258.4 ACRES.

This permit is issued approving Application G-12664. The date of priority is SEPTEMBER 24, 1991. The use is limited to not more than 3.23 CUBIC FEET PER SECOND (CFS) BEING 1.675 CFS FROM WELL NO. 1 AND 1.555 CFS FROM WELL NO. 2, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SE 1/4 SE 1/4, SECTION 19, SW 1/4 NE 1/4, SECTION 29, T 26 S, R 33 E, W.M.; WELL NO. 1 - 57 FEET NORTH AND 1281 FEET WEST FROM SE CORNER, SECTION 19, WELL NO. 2 - 1361 FEET SOUTH AND 3956 FEET EAST FROM W 1/4 CORNER, SECTION 29.

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, 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:

WELL NO. 1

NE 1/4 SE 1/4 33.5 ACRES
NW 1/4 SE 1/4 33.5 ACRES
SW 1/4 SE 1/4 33.5 ACRES
SE 1/4 SE 1/4 33.5 ACRES

SECTION 19

WELL NO. 2

NW 1/4 NE 1/4 29.0 ACRES
SW 1/4 NE 1/4 29.0 ACRES
NE 1/4 NW 1/4 33.2 ACRES
SE 1/4 NW 1/4 33.2 ACRES

SECTION 29

TOWNSHIP 26 SOUTH, RANGE 33 EAST, W.M.

The wells 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.

Application G-12664

Water Resources Department

PERMIT G-11956

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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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 28, 1996 and shall be completed on or before October 1, 1997. Complete application of water shall be made on or before October 1, 1998.

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 28, 1995.



Water Resources Department
Martha O. Pagel
Director