

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TOM MAC AND JOYCE A KERNS
ROUTE 1 BOX 10
HAINES, OREGON 97833

503-856-3351

to use the waters of WELLS 1, 2, AND 3 IN THE WILLOW CREEK BASIN for
SUPPLEMENTAL IRRIGATION OF 354.9 ACRES.

This permit is issued approving APPLICATION G-13175. The date of
priority is NOVEMBER 9, 1992. The use is limited to not more than
1991 GALLONS PER MINUTE, or its equivalent in case of rotation,
measured at the well.

The wells are located as follows:

NE 1/4 SW 1/4, SE 1/4 SE 1/4, SECTION 7, NW 1/4 NW 1/4, SECTION
18, T 8 S, R 39 E, W.M.; WELL 1 - 1100 FEET SOUTH & 1100 FEET EAST
FROM THE NW CORNER OF SECTION 18; WELL 2 - 200 FEET SOUTH & 2640 FEET
EAST FROM THE W 1/4 CORNER OF SECTION 7; WELL 3 - 1320 FEET NORTH AND
80 FEET WEST FROM THE SE CORNER OF SECTION 7.

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:

NE 1/4 SE 1/4 40.0 ACRES
SE 1/4 SE 1/4 40.0 ACRES
SECTION 12
NE 1/4 NE 1/4 37.6 ACRES
SECTION 13
TOWNSHIP 8 SOUTH, RANGE 38 EAST, W.M.

NE 1/4 SW 1/4 38.9 ACRES
NW 1/4 SW 1/4 34.8 ACRES
SW 1/4 SW 1/4 34.3 ACRES
SE 1/4 SW 1/4 38.4 ACRES
NW 1/4 SE 1/4 10.0 ACRES
SW 1/4 SE 1/4 10.0 ACRES
SECTION 7
NE 1/4 NW 1/4 38.1 ACRES
NW 1/4 NW 1/4 32.8 ACRES
SECTION 18
TOWNSHIP 8 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:

- 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 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 May 23, 1996, and shall be completed on or before October 1, 1997. Complete application of the 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, May 23, 1995.

Steven P. Applegate

for

Water Resources Department
Martha O. Pagel
Director