

STATE OF OREGON
COUNTY OF MALHEUR
PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WARNER AND MARY KAY MAAG
5234 HILL ROAD
VALE, OREGON 97918

503-473-2366

to use the waters of A WELL in the WILLOW CREEK BASIN for SUPPLEMENTAL IRRIGATION OF 98.9 ACRES.

This permit is issued approving Application G-12595. The date of priority is JUNE 28, 1991. The use is limited to not more than 1.24 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 SW 1/4, SECTION 11, T 16 S, R 43 E, W.M.; 410 FEET NORTH AND 1420 FEET EAST FROM SW CORNER, SECTION 11.

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 February 15 to September 1.

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

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:

SE 1/4 SW 1/4 8.9 ACRES
SECTION 11
NE 1/4 NW 1/4 40.0 ACRES
SE 1/4 NW 1/4 40.0 ACRES
NE 1/4 SE 1/4 10.0 ACRES
SECTION 14
TOWNSHIP 16 SOUTH, RANGE 43 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.
- 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 June 21, 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 finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, June 21, 1995.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director

BC ext. to 10-1-99