

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES HATLEY
BOX 458
PILOT ROCK, OREGON 97868

503-443-4444

to use the waters of WELLS 1 AND 2 in the EAST BIRCH CREEK BASIN for IRRIGATION OF 50.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.7 ACRES.

This permit is issued approving Application G-12108. The date of priority is JULY 17, 1992. The use is limited to not more than 0.88 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SW 1/4 NE 1/4, SE 1/4 NE 1/4 SECTION 4, T 2 S, R 32 E, W.M.; WELL 1 - 1419 FEET SOUTH AND 2046 FEET WEST; WELL 2 - 1980 FEET SOUTH AND 700 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 4.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The period of allowed use is March 1 to November 1.

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 the permit is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	2.5 ACRES	0.1 ACRE
NW 1/4 NE 1/4	15.8 ACRES	4.2 ACRES
SW 1/4 NE 1/4	18.8 ACRES	7.3 ACRES
SE 1/4 NE 1/4	2.3 ACRES	9.1 ACRES
NE 1/4 NW 1/4	3.2 ACRES	
NE 1/4 SE 1/4	5.4 ACRES	
NW 1/4 SE 1/4	2.0 ACRES	

SECTION 4

TOWNSHIP 2 SOUTH, RANGE 32 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 elevations 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.

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 of the well shall begin on or before September 29, 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.

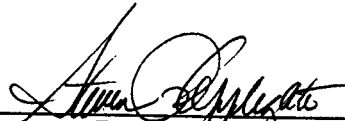
This permit is for beneficial use of water without waste. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

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 granted herein may be made only at times when sufficient water is available to satisfy all prior 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, September 29, 1995.


for Water Resources Department
Martha O. Pagel
Director