

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SISSON FARMS INC./  
STRICKLAND FARMS INC.  
1169 KLAMATH AVE  
NYSSA, OREGON 97913

(541) 372-2301

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: G-13500

SOURCE OF WATER: 5 WELLS IN THE OWYHEE RIVER BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 11.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 582.4 ACRES

RATE OF USE: 7.353 CUBIC FEET PER SECOND (CFS), BEING 1.337 CFS FROM WELL 1, 1.337 CFS FROM WELL 2, 1.337 CFS FROM WELL 3, 1.114 CFS FROM WELL 4 AND 2.228 CFS FROM WELL 5.

PERIOD OF ALLOWED USE: APRIL 1 THROUGH OCTOBER 14

DATE OF PRIORITY: AUGUST 23, 1993

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 13, NW 1/4 SE 1/4, SECTION 24, T20S, R45E, W.M.; SE 1/4 NW 1/4, SE 1/4 SW 1/4, SECTION 19, SE 1/4 SE 1/4, SECTION 20, T20S, R46E, W.M.; WELL 1 - 348 FEET NORTH AND 272 FEET WEST FROM THE S 1/4 CORNER OF SECTION 19; WELL 2 - 12 FEET SOUTH AND 211 FEET WEST FROM THE C-N 1/16 CORNER OF SECTION 19; WELL 3 - 40 FEET SOUTH AND 123 FEET EAST FROM THE C 1/4 CORNER OF SECTION 24; WELL 4 - 152 FEET NORTH AND 480 FEET WEST FROM THE SE CORNER OF SECTION 13; WELL 5 - 831 FEET NORTH AND 1031 FEET WEST FROM THE SE-CORNER OF SECTION 20

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 PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE 1/4 SE 1/4	1.3 ACRES	
SECTION 13		

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	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NE 1/4	5.9 ACRES	27.2 ACRES
SE 1/4 NE 1/4		34.1 ACRES
NE 1/4 SE 1/4		35.8 ACRES
NW 1/4 SE 1/4		36.1 ACRES
SE 1/4 SE 1/4		2.9 ACRES

## SECTION 24

TOWNSHIP 20 SOUTH, RANGE 45 EAST, W.M.

SE 1/4 NE 1/4		35.8 ACRES
SW 1/4 NE 1/4		38.5 ACRES
NW 1/4 NW 1/4	1.5 ACRES	27.6 ACRES
SW 1/4 NW 1/4		36.5 ACRES
SE 1/4 NW 1/4		38.5 ACRES
NE 1/4 SW 1/4		30.0 ACRES
SE 1/4 SW 1/4		32.9 ACRES
NE 1/4 SE 1/4		38.0 ACRES
NW 1/4 SE 1/4		38.0 ACRES

## SECTION 19

NE 1/4 SE 1/4		28.4 ACRES
NW 1/4 SE 1/4		0.2 ACRE
SW 1/4 SE 1/4		2.6 ACRES
SE 1/4 SE 1/4		34.2 ACRES

## SECTION 20

NW 1/4 SW 1/4		3.6 ACRES
SW 1/4 SW 1/4		29.2 ACRES
SE 1/4 SW 1/4		0.8 ACRE

## SECTION 21

NW 1/4 NE 1/4	2.3 ACRES	29.4 ACRES
NE 1/4 NE 1/4		2.1 ACRES

## SECTION 30

TOWNSHIP 20 SOUTH, RANGE 46 EAST, W.M.

## 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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

#### STANDARD CONDITIONS

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.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

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 the beneficial use of water without waste. The water user is advised that new regulations may require the 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.

Actual construction of the wells shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued June 19, 1996

*Martha O. Pagel*  
for Martha O. Pagel, Director  
Water Resources Department

"B" Ext to: 10-1-2001

"C" Ext to: 10-1-2001

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Basin 11

Water Resources Department  
Volume 1, Owyhee River & Misc.  
MGMT.CODES 7BG, 7BR

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District 09