

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

UPPER KLAMATH FARMS
P.O. BOX 458
FORT KLAMATH, OREGON 97626

(541) 381-2274

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

APPLICATION FILE NUMBER: G-13631

SOURCE OF WATER: ONE WELL IN WOOD RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 758.6 ACRES

MAXIMUM RATE: 9.48 CUBIC FEET PER SECOND

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

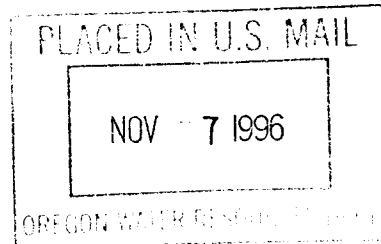
DATE OF PRIORITY: FEBRUARY 28, 1994 FOR USE OF 3.98 CFS AND AUGUST 8, 1995 FOR USE OF 5.5 CFS

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 20, T33S, R7.5E, W.M.; 20 FEET SOUTH AND 5976 FEET WEST FROM NE CORNER, SECTION 21

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:

NE 1/4 NE 1/4 39.3 ACRES
NW 1/4 NE 1/4 39.3 ACRES
SW 1/4 NE 1/4 40.0 ACRES
SE 1/4 NE 1/4 40.0 ACRES
SW 1/4 SW 1/4 40.0 ACRES
SE 1/4 SW 1/4 40.0 ACRES
NE 1/4 SE 1/4 40.0 ACRES
NW 1/4 SE 1/4 40.0 ACRES
SW 1/4 SE 1/4 40.0 ACRES
SE 1/4 SE 1/4 40.0 ACRES
SECTION 20
NW 1/4 NE 1/4 40.0 ACRES
SW 1/4 NE 1/4 40.0 ACRES
SW 1/4 NW 1/4 40.0 ACRES



SE 1/4 NW 1/4 40.0 ACRES
 NE 1/4 NW 1/4 40.0 ACRES
 NW 1/4 NW 1/4 40.0 ACRES
 NE 1/4 SW 1/4 40.0 ACRES
 NW 1/4 SW 1/4 40.0 ACRES
 NW 1/4 SE 1/4 40.0 ACRES

SECTION 29

TOWNSHIP 33 SOUTH, RANGE 7.5 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.

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

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

The well shall be constructed to withdraw groundwater only from the regional aquifer. The regional aquifer is below approximately 400 to 600 feet of sedimentary material. The well constructor shall contact Marc Norton, a Hydrogeologist with the Groundwater Section of the Water Resources Department, at least two weeks prior to starting construction. A representative of the Department shall be contacted prior to placing any sealing material or permanent casing or perforating any casing.

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.

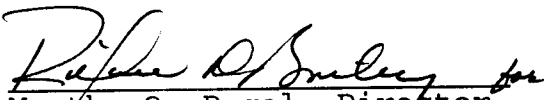
The use of water shall be limited when it interferes with any prior surface or ground water rights.

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 well 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 October 29, 1996

"B" Ext. to: 10-1-99, 10-1-2005


Marytha O. Pagel, Director
Water Resources Department

"C" Ext. to: 10-1-2000, 10-1-2005

B99 C00

Application G-13631 Water Resources Department
Basin 14 Volume 1 Agency Lake & Misc.
MGMT.CODES 7AG, 7AR, 7BG, 7BR, 7JG, 7JR

PERMIT G-12947
District 17