

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOSEPH L ARRIOLA
2506 12TH AVENUE E
VALE, OREGON 97918

541-473-2627

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

APPLICATION FILE NUMBER: G-13026

SOURCE OF WATER: 3 WELLS IN WILLOW CREEK BASIN WITHIN THE MALHEUR BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 287.0 ACRES

MAXIMUM RATE: 3.59 CUBIC FEET PER SECOND

PERIOD OF USE: FEBRUARY 15 THROUGH SEPTEMBER 1

DATE OF PRIORITY: JULY 8, 1992

POINTS OF DIVERSION LOCATION: NW 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 13, T 16 S, R 43 E, W.M.; WELL 1 - 1740 FEET NORTH & 20 FEET EAST; WELL 2 - 1950 FEET NORTH AND 850 FEET EAST; WELL 3 - 1140 FEET NORTH AND 980 FEET EAST ALL FROM THE NE CORNER OF SECTION 13

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 SW 1/4	20.0 ACRES
SW 1/4 SW 1/4	34.0 ACRES
SECTION 13	
SE 1/4 SW 1/4	1.0 ACRE
SW 1/4 SE 1/4	17.0 ACRES
SE 1/4 SE 1/4	15.0 ACRES
SECTION 14	
NE 1/4 NE 1/4	35.0 ACRES
NW 1/4 NE 1/4	7.0 ACRES
SECTION 23	

NE 1/4 NW 1/4	33.2 ACRES
NW 1/4 NW 1/4	36.0 ACRES
SW 1/4 NW 1/4	37.0 ACRES
SE 1/4 NW 1/4	36.8 ACRES
NW 1/4 SW 1/4	15.0 ACRES

SECTION 24

TOWNSHIP 2 SOUTH, RANGE 3 WEST, 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.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Proposed Final Order or Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

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. Pursuant to OAR 690-217-015(6), pump tests shall not be required for wells with diameters greater than 36 inches and depths less than 30 feet.

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 ensure the preservation of the public welfare, safety, and health.

Actual construction of the well shall begin within one year from permit issuance, and shall be completed on or before October 1, 1999. Complete application of the water to the use shall be made on or before October 1, 2000.

Issued April 9, 1997


Martha O. Pagel, Director
Water Resources Department

Application G-13026
Basin 10

Water Resources Department
Volume 2 Willow Creek & Misc.
MGMT.CODE 7BG,7BR

PERMIT G-13116
District 09