

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROBERT D. MAAG  
5244 HILL RD.  
VALE, OREGON 97918

PHONE: (541) 473-2108

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

APPLICATION FILE NUMBER: G-12496

SOURCE OF WATER: WELLS 1 & 4 IN THE WILLOW CREEK BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 279.2 ACRES

MAXIMUM RATE: 2.17 CUBIC FEET PER SECOND

PERIOD OF USE: FEBRUARY 15 THROUGH SEPTEMBER 1

DATE OF PRIORITY: APRIL 22, 1991

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SE 1/4 SE 1/4, SECTION 10, T16S, R43E, W.M.; WELL 1 - 2342 FEET NORTH AND 4030 FEET EAST; WELL 4 - 1013 FEET NORTH AND 3974 FEET EAST BOTH FROM SW CORNER, SE 1/4 SW 1/4, SECTION 10

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 SE 1/4	40.0 ACRES
NW 1/4 SE 1/4	40.0 ACRES
SW 1/4 SE 1/4	36.0 ACRES
SE 1/4 SE 1/4	30.0 ACRES
SECTION 10	

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SW 1/4 NW 1/4      3.0 ACRES  
 NW 1/4 SW 1/4      15.0 ACRES  
 SECTION 14

NE 1/4 NE 1/4      12.0 ACRES  
 NW 1/4 NE 1/4      40.0 ACRES  
 SW 1/4 NE 1/4      15.2 ACRES  
 SE 1/4 NE 1/4      37.0 ACRES  
 NE 1/4 SE 1/4      11.0 ACRES

SECTION 15

TOWNSHIP 16 SOUTH, RANGE 43 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.

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.

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.

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.

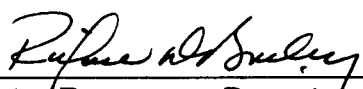
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued August 27, 1997



Water Resources Department  
Director

Basin 10

Volume 1 Willow Creek & Misc.  
MGMT.CODE 7BF, 7BR, 7FG, 7FR

District 09

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