

STATE OF OREGON

COUNTY OF MORROW

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TERRA POMA LAND CO. LLC, GLENN CHOWNING
PO BOX 862
HERMISTON, OREGON 97838

(541) 567-1010

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14452

SOURCE OF WATER: WELL 2 AND WELL 4 WITHIN THE COLUMBIA RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 134.2 ACRES AND SUPPLEMENTAL IRRIGATION OF 153.0 ACRES

MAXIMUM RATE: 3.59 CUBIC FEET PER SECOND (CFS), BEING 1.68 CFS FOR IRRIGATION AND 1.91 CFS FOR SUPPLEMENTAL IRRIGATION

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 7, 1997

POINT OF DIVERSION LOCATION: SE 1/4 NE 1/4, SE 1/4 SE 1/4, SECTION 13, T4N, R25E, W.M.; WELL 2 - 3800 FEET NORTH & 2460 FEET EAST FROM S1/4 CORNER, SECTION 13; WELL 4 - 365 FEET NORTH & 50 FEET WEST FROM SE CORNER, SECTION 13

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>
NE 1/4 NE 1/4	8.50 ACRES	
NW 1/4 NE 1/4	29.40 ACRES	
SW 1/4 NE 1/4	34.70 ACRES	
SE 1/4 NE 1/4	30.90 ACRES	
NE 1/4 NW 1/4	6.50 ACRES	
SE 1/4 NW 1/4	8.40 ACRES	
SE 1/4 SW 1/4	23.80 ACRES	
NE 1/4 SE 1/4	20.10 ACRES	17.44 ACRES
NW 1/4 SE 1/4	14.70 ACRES	17.16 ACRES
SW 1/4 SE 1/4	36.80 ACRES	

SE 1/4 SE 1/4 38.80 ACRES
SECTION 13
TOWNSHIP 4 NORTH, RANGE 25 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.

Ground water for use under this permit shall be produced from no deeper than 15 feet below land surface.

Well 4 shall either be constructed as a sump pursuant to OAR 690-200-050(84) or as a well pursuant to OAR divisions 690-205 and 690-210. Prior to use of water from well 4 under this permit, proof of proper well construction shall be submitted to the Enforcement Section of the Oregon Water Resources Department.

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, pump tests are not required of 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.

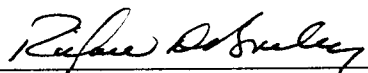
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 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, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued June 10 , 1998



Water Resources Department
Director