

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

COUSE CREEK RANCH INC.  
HERB MARCH  
81044 COUSE CREEK RD.  
MILTON-FREEWATER, OREGON 97862

PHONE: (541) 938-7945

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

APPLICATION FILE NUMBER: G-14557

SOURCE OF WATER: WELLS 2 AND 3 IN SWARTZ SPRING CREEK BASIN

PURPOSE OR USE: PRIMARY IRRIGATION OF 2.6 ACRES AND SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 219.3 ACRES

MAXIMUM RATE: A CUMULATIVE TOTAL OF 1.173 CUBIC FEET PER SECOND (CFS), BEING UP TO 1.15 CFS FROM WELL 2 AND 0.668 CFS FROM WELL 3, AND BEING NO MORE THAN 0.033 CFS FOR IRRIGATION OF 2.6 ACRES AND 1.14 CFS FOR SUPPLEMENTAL IRRIGATION OF 219.3 ACRES

PERIOD OF USE: APRIL 1 TO OCTOBER 1

DATE OF PRIORITY: JUNE 30, 1997

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 23, NE 1/4 NE 1/4, SECTION 22, T6N, R34E, W.M.; WELL 2 - 10 FEET NORTH AND 350 FEET EAST FROM W1/4 CORNER, SECTION 23; WELL 3 - 150 FEET SOUTH AND 110 FEET WEST FROM NE CORNER, SECTION 22

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	1.0 ACRE	13.0 ACRES
SE 1/4 NE 1/4		26.0 ACRES
NE 1/4 SE 1/4		14.9 ACRES
SECTION 22		
NE 1/4 NE 1/4		34.8 ACRES
NW 1/4 NE 1/4		40.0 ACRES
NE 1/4 NW 1/4		25.6 ACRES
NW 1/4 NW 1/4	1.6 ACRES	23.3 ACRES
SW 1/4 NW 1/4		5.2 ACRES

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PRIMARY                      SUPPLEMENTAL  
NW 1/4 SW 1/4                      36.5 ACRES  
SECTION 23  
TOWNSHIP 6 NORTH, RANGE 34 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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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.

#### 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.

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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.

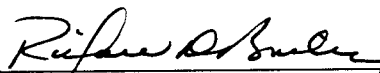
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 by June 22, 1999. 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 22, 1998



Water Resources Department  
Director

Application G-14557  
Basin 7  
RWK

Water Resources Department  
Volume 2 SPRING BR  
MGMT.CODE 3BW 7BG 7BR

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District 5