

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

T.O. WILLIAMS & ASSOC.

RAY WILLIAMS

49654 UMAPINE ROAD

MILTON FREEWATER, OREGON 97862

(541) 558-3918

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

APPLICATION FILE NUMBER: G-14728

SOURCE OF WATER: TEN WELLS IN SWARTZ SPRING CANYON AND PINE CREEK BASINS

PURPOSE OR USE: IRRIGATION OF 238.4 ACRES, SUPPLEMENTAL IRRIGATION FROM BOTH AQUIFERS OF 33.0 ACRES, SUPPLEMENTAL IRRIGATION FROM THE BASALT AQUIFER OF 91.8 ACRES, SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER OF 494.4 ACRES, AND SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 433.0 ACRES FROM THE BASALT AQUIFER, AND SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE OF 6.4 ACRES FROM THE ALLUVIAL AQUIFER

MAXIMUM RATE: 9.772 CFS, BEING 2.98 CFS FOR IRRIGATION, 0.412 CFS FOR SUPPLEMENTAL IRRIGATION FROM EITHER AQUIFER, AND 1.15 CFS SUPPLEMENTAL IRRIGATION FROM THE BASALT AQUIFER, AND 4.892 CFS FOR SUPPLEMENTAL IRRIGATION FROM THE ALLUVIAL AQUIFER, 0.338 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE FROM THE BASALT AQUIFER, AND 0.006 CFS FOR SUPPLEMENTAL IRRIGATION TO MAKE UP A DEFICIENCY IN RATE FROM THE ALLUVIAL AQUIFER. (FOR DEFICIENT RATE FROM THE BASALT AQUIFER DEFICIENCY SEE CERTIFICATES 30636 AND 30638; FOR DEFICIENT RATE FROM THE ALLUVIAL AQUIFER SEE CERTIFICATES 36131 AND 36132 AND PERMIT G-12940) *FURTHER LIMITED TO A MAXIMUM RATE OF 4.88 CFS FROM BASALT WELLS: WILLIAMS WELLS 1, 2, 3, & 4; AND 4.892 CFS FROM ALLUVIAL WELLS: MARCH WELLS 1, 2, & 3, KEY BROTHERS WELLS 1 & 2, AND FROM WILLIAMS WELL 7*

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 20, 1998

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 22, NE 1/4 NW 1/4, SW 1/4 NW 1/4, SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 23, SE 1/4 SW 1/4,

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SECTION 26, SE 1/4 SE 1/4, SECTION 27, NE 1/4 NW 1/4, NW 1/4 NW 1/4, SECTION 35; MARCH 3 - 150 FEET SOUTH & 110 FEET WEST FROM NE CORNER, SECTION 22; MARCH 1 - 650 FEET SOUTH & 90 FEET WEST FROM N1/4 CORNER, SECTION 23; MARCH 2 - 10 FEET NORTH & 350 FEET EAST FROM W1/4 CORNER, SECTION 23; WILLIAMS 7 - 1000 FEET NORTH & 100 FEET EAST; KEY BROS 1 - 260 FEET NORTH & 1230 FEET EAST; KEY BROS 2 - 30 FEET NORTH & 1620 FEET EAST ALL FROM SW CORNER, SECTION 23; WILLIAMS 2 - 240 FEET NORTH & 2530 FEET EAST FROM SW CORNER, SECTION 26; WILLIAMS 3 - 400 FEET NORTH & 100 FEET WEST FROM SE CORNER, SECTION 27; WILLIAMS 4 - 1353 FEET SOUTH & 1650 FEET EAST; WILLIAMS 1 - 760 FEET SOUTH & 40 FEET EAST BOTH FROM NW CORNER, SECTION 35

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.

BASALT WELLS = Williams 1,2,3, and 4

ALLUVIAL WELL = Williams 7; March 1,2, and 3; and Key Brothers 1 and 2

THE PLACE OF USE BY ACRES PER 1/4 1/4 IS LOCATED AS FOLLOWS:

	IRRI- GATION ACRES	SUPPLE- MENTAL ACRES	SUPPLE- MENTAL BASALT ACRES	SUPPLE- MENTAL ALLUVIAL ACRES	SUPPLE- MENTAL FOR A DEFIC- IENCY BASALT	SUPPLE- MENTAL FOR A DEFIC- IENCY ALLUVIAL	TOTAL SUPPLE- MENTAL ACRES
NE 1/4 NE 1/4	24.9						
NW 1/4 NE 1/4	15.0	23.0					23.0
SW 1/4 NE 1/4	15.9	10.0					10.0
SE 1/4 NE 1/4	16.8						
NE 1/4 SE 1/4	20.7						
NW 1/4 SE 1/4	9.1						
SECTION 22							
NE 1/4 NW 1/4	13.4						
NW 1/4 NW 1/4	15.5		1.6				1.6
SW 1/4 NW 1/4	36.7						
NW 1/4 SW 1/4	5.6						

	IRRI- GATION ACRES	SUPPLE- MENTAL ACRES	SUPPLE- MENTAL BASALT ACRES	SUPPLE- MENTAL ALLUVIAL ACRES	SUPPLE- FOR A DEFIC- IENCY BASALT	SUPPLE- MENTAL FOR A DEFIC- IENCY ALLUVIAL	TOTAL SUPPLE- MENTAL ACRES
SW 1/4 SW 1/4			37.3				37.3
SE 1/4 SW 1/4			38.4				38.4
SECTION 23							
NE 1/4 NW 1/4	1.6		8.0	34.8	33.2	6.4	39.6
NW 1/4 NW 1/4				39.6	39.6		39.6
SW 1/4 NW 1/4	4.8			29.2	29.2		29.2
SE 1/4 NW 1/4	2.2			32.9	32.9		32.9
NE 1/4 SW 1/4	7.4		3.5	18.7	15.2		18.7
NW 1/4 SW 1/4	4.5		0.4	37.2	36.8		37.2
SW 1/4 SW 1/4	1.0			37.1	37.1		37.1
SE 1/4 SW 1/4	11.8			25.2	25.2		25.2
SW 1/4 SE 1/4	27.5			12.5	12.5		12.5
SECTION 26							
NE 1/4 NE 1/4			2.2	38.0	35.8		38.0
SE 1/4 NE 1/4			0.4	38.8	38.4		38.8
NE 1/4 SE 1/4				36.7			36.7
SE 1/4 SE 1/4				16.6			16.6
SECTION 27							
NW 1/4 NE 1/4	3.5			37.1	37.1		37.1
NE 1/4 NW 1/4				40.6	40.6		40.6
NW 1/4 NW 1/4	0.5			19.4	19.4		19.4

SECTION 35

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, 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.

The water user shall develop a plan to monitor and report the impact of water use under this permit on water levels within the aquifer that provides water to the permitted well(s). The plan shall be submitted to the Department within one year of the date the permit is issued and shall be subject to the approval of the Department. At a minimum, the plan shall include a program to periodically measure static water levels within the permitted well(s) or an adequate substitute such as water levels in nearby wells. The plan shall also stipulate a reference water level against which any water-level declines will be compared. If a well listed on this permit (or replacement well) displays a total static water-level decline of 25 or more feet over any period of years, as compared to the reference level, then the water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s). Such action shall be taken until the water level recovers to above the 25-foot decline level or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this permit.

For Williams Wells 2,3, and 4 ground water for use under this permit shall be produced from the basalt aquifers only.

Ground water for use under this permit shall be produced from no shallower than 120 feet below land surface, unless information obtained during well construction indicates that a shallower casing and seal will adequately prevent interference with nearby surface water sources.

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.

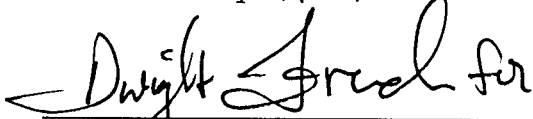
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 by April 19, 2000. Complete application of water to the use shall be made on or before October 1, 2003. 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 July 16, 1999



Martha O. Pagel, Director
Water Resources Department

Application G-14728
Basin 7
RWK

Water Resources Department
Volume 2 SPRING BR
MGMT.CODES 7AG 7AR 7BG 7BR

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District 5