

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARVIN H. SAMS

53012 COUNTRY ROAD

MILTON-FREEWATER, OREGON 97862

PHONE: (541) 938-7955

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

APPLICATION FILE NUMBER: G-14862

SOURCE OF WATER: A WELL IN WALLA WALLA RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION AND TEMPERATURE CONTROL
ON 11.92 ACRES

MAXIMUM RATE: NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 1.79
CUBIC FOOT PER SECOND (CFS), BEING NO MORE THAN 0.298 CFS FOR
SUPPLEMENTAL IRRIGATION AND 1.79 CFS FOR TEMPERATURE CONTROL

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 15 FOR SUPPLEMENTAL
IRRIGATION AND YEAR ROUND FOR TEMPERATURE CONTROL

DATE OF PRIORITY: NOVEMBER 9, 1998

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 3, T5N, R35E,
W.M.; 180 FEET SOUTH & 40 FEET WEST FROM N1/4 CORNER, SECTION 3

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-FORTIETH 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 amount of water used for temperature control is limited to a
diversion of 0.15 cubic foot per second per acre.

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Water Resources Department

PERMIT G-13766

T-9034A APOA

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 1.38 ACRES
SECTION 3
TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

SW 1/4 SW 1/4 2.34 ACRES
SE 1/4 SW 1/4 8.2 ACRES
SECTION 34
TOWNSHIP 6 NORTH, RANGE 35 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.

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.

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.

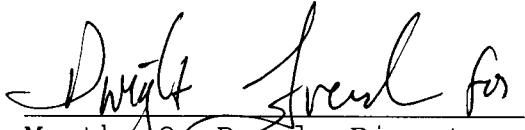
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 September 30, 2000. Complete application of the 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 December 2, 1992


Martha O. Pagel, Director
Water Resources Department

Application G-14862
Basin 7
AMH

Water Resources Department
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District 5