

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

C AND J PROPERTIES
C. R. NELSON
53785 CROCKET ROAD (541)938-7247
MILTON FREEWATER, OREGON 97862

This superseding permit is issued to describe an amendment for an additional point of appropriation proposed under Permit Amendment Application T-12274 and approved by Special Order Vol. 100, Page 535, entered May 13, 2016, and to describe an extension of time for complete application of water approved January 15, 2016 and an assignment to a new permittee approved February 20, 2007 and April 27, 2015. This permit supersedes Permit G-13884.

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

APPLICATION FILE NUMBER: G-14979

SOURCE OF WATER: TWO WELLS IN WALLA WALLA RIVER BASIN

PURPOSE OR USE: HUMAN CONSUMPTION PURPOSES AND IRRIGATION OF 11.7 ACRES

MAXIMUM RATE: NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 0.178 CUBIC FOOT PER SECOND (CFS), BEING 0.090 CFS FOR HUMAN CONSUMPTION PURPOSES AND 0.146 CFS FOR IRRIGATION

PERIOD OF USE: YEAR ROUND FOR HUMAN CONSUMPTION PURPOSES AND MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION

DATE OF PRIORITY: JUNE 28, 1999

POINT OF APPROPRIATION LOCATION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	35 E	WM	25	NW NW	WELL 1 - 510 FEET SOUTH AND 760 FEET EAST FROM THE NW CORNER OF SECTION 25
6 N	35 E	WM	25	NW NW	WELL 2 - 590 FEET SOUTH AND 875 FEET EAST FROM THE NW CORNER OF SECTION 25

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:

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	25	NW NW	11.7

Permit Amendment T-12274 Conditions:

The combined quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

Water shall be acquired from the same aquifer as the original point of appropriation.

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.

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.

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 was to begin by February 22, 2002. Complete application of the water to the use was to be made on or before October 1, 2005. By Extension of Time the complete application of the water to the use was extended to October 1, 2016. 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 May 13, 2016


 Dwight French, Water Right Services Division Administrator, for
 Thomas M. Byler, Director
 Oregon Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.