

Permit No. G-4933

APPLICATION FOR A PERMIT

To appropriate the Ground Waters of the State of Oregon

I, DESERT MAGIC, INC., an Oregon corporation... of P. O. Box 216, Boardman, Oregon 97818... state of Oregon... do hereby make application for a permit to appropriate the following described ground waters of the state of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

May 12, 1971 - Oregon

1. Give name of nearest stream to which the well, tunnel or other source of water development is situated Columbia River

tributary of

2. The amount of water which the applicant intends to apply to beneficial use is See Exhibit A cubic feet per second or gallons per minute.

3. The use to which the water is to be applied is irrigation

4. The well or other source is located ft. and ft. from the corner of See Exhibit B

(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)

being within the of Sec. Twp. R. W. M., in the county of Morrow

5. The See Remarks to be miles in length, terminating in the of Sec. Twp. R. W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is Desert Magic Wells 1C, 3, 4, 5, 6, 7, 8, 9, 10 and 12

DESCRIPTION OF WORKS

7. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

8. The development will consist of ten wells each having a diameter of 16 inches and an estimated depth of 125 feet. It is estimated that 125 feet of the well will require steel casing. Depth to water table is estimated 70

DESERT MAGIC, INC.

EXHIBIT A

Primary Right

| <u>Desert Magic Well No.</u> | <u>Acres</u> | <u>Cubic Feet per Second</u> | <u>Gallons per Minute</u> |
|----------------------------------|--------------|------------------------------|---------------------------|
| 10 | 162.0 ✓ | 4.05 | 1,814.4 |
| 3 | 71.3 ✓ | 1.78 | 797.4 |
| 4 | 81.8 ✓ | 2.04 | 913.9 |
| 5 | 162.0 ✓ | 4.05 | 1,814.4 |
| 6 | 144.8 ✓ | 3.62 | 1,621.7 |
| 7 | 153.7 ✓ | 3.80 | 1,702.4 |
| 8 | 162.0 ✓ | 4.05 | 1,814.4 |
| 9 | 165.9 ✓ | 4.14 | 1,854.7 |
| 10 & 12 | <u>314.9</u> | <u>7.80</u> | <u>3,494.4</u> |
| | 1,418.4 | 35.33 | 15,827.7 |

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DESERT MAGIC, INC.

EXHIBIT B

Primary Right

LOCATION OF WELLS

Desert Magic
Well No.

Location

- | Desert Magic Well No. | Location |
|------------------------|--|
| 1C <i>SN/26-33</i> | 1300 feet East and 1300 feet South of the Northeast corner of Section 33, Township 5 North, Range 26, E.W.M., being in the Northwest Quarter of the Northwest Quarter of Section 33. |
| 3 <i>SN/26-34</i> | 1395 feet West and 50 feet South of the Northeast corner of Section 34, Township 5 North, Range 26, E.W.M., being in the Northwest Quarter of the Northeast Quarter of Section 34. |
| 4 <i>SN/26-34</i> | 1320 feet East and 50 feet South of the Northwest corner of Section 34, Township 5 North, Range 26, E.W.M. being in the Northwest Quarter of the Northwest Quarter of Section 34. |
| 5 <i>SN/26-33</i> | 1320 feet West and 1320 feet South of the Northeast corner of Section 33, Township 5 North, Range 26, E.W.M. being in the Northeast Quarter of the Northeast Quarter of Section 33. |
| 6 <i>SN/26-34</i> | 1000 feet East and 350 feet North of the Quarter corner common to Sections 33 and 34, Township 5 North, Range 26, E.W.M. being in the Southwest Quarter of the Northwest Quarter of Section 34. |
| 7 <i>SN/26-33</i> | 1400 feet North and 1400 feet West of the Southeast Quarter ^{Corner} of Section 33, Township 5 North, Range 26, E.W.M. being in the Northwest Quarter of the Southeast Quarter of Section 33. |
| 8 <i>SN/26-33</i> | 1320 feet North and 1320 feet East of the Southwest corner of Section 33, Township 5 North, Range 26, E.W.M., being in the Southwest Quarter of the Southwest Quarter of Section 33. |
| 9 <i>SN/26-34</i> | 1000 feet South and 1400 feet East of the Northwest corner of Section 4, Township 4 North, Range 26, E.W.M., being in the Northeast Quarter of the Northwest Quarter in Section 4. |
| 10 <i>SN/26-34</i> | 1600 feet North and 1850 feet West of the Southeast corner of Section 34, Township 5 North, Range 26, E.W.M., being in the Northwest Quarter of the Southeast Quarter in Section 34. |
| 12. <i>SN/26-34</i> | 1050 ⁸⁵⁰ feet North and 1100 ¹²⁰⁰ feet West of the Quarter corner common to Sections 34 and 35, Township 5 North, Range 26, E.W.M., being in the Southeast Quarter of the Northeast Quarter in Section 34. <i>14r 11-18-71</i> |

All in Morrow County, Oregon

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DESERT MAGIC, INC.

EXHIBIT C

Primary Right

DESCRIPTION OF AREA TO BE IRRIGATED

All land in Township 5 North, Range 26, E.W.M. except that land irrigated by Well No. 9 which is in Section 4 and that land irrigated by Well No. 10 which is in Section 3, both of which sections are in Township 4 North, Range 26, E.W.M.

| <u>Desert Magic Well No.</u> | <u>Section</u> | <u>Forty-Acre Tract</u> | <u>No. of Acres to be Irrigated</u> |
|------------------------------|----------------|--------------------------------------|-------------------------------------|
| 10 | 33 | Northwest Quarter, Northwest Quarter | 40.5 |
| | | Northeast Quarter, Northwest Quarter | 40.5 |
| | | Southwest Quarter, Northwest Quarter | 40.5 |
| | | Southeast Quarter, Northwest Quarter | 40.5 |
| 3 | 34 | Northwest Quarter, Northeast Quarter | 40.9 |
| | | Northeast Quarter, Northeast Quarter | 30.4 |
| 4 | 34 | Northwest Quarter, Northwest Quarter | 40.9 |
| | | Northeast Quarter, Northwest Quarter | 40.9 |
| 5 | 33 | Northwest Quarter, Northeast Quarter | 40.5 |
| | | Northeast Quarter, Northeast Quarter | 40.5 |
| | | Southwest Quarter, Northeast Quarter | 40.5 |
| | | Southeast Quarter, Northeast Quarter | 40.5 |
| 6 | 34 | Southwest Quarter, Northwest Quarter | 40.9 |
| | | Southeast Quarter, Northwest Quarter | 39.9 |
| | | Southwest Quarter, Northeast Quarter | 17.5 |
| | | Northwest Quarter, Southwest Quarter | 35.7 |
| | | Northeast Quarter, Southwest Quarter | 7.8 |
| | | Southwest Quarter, Southwest Quarter | 3.0 |
| 7 | 33 | Northwest Quarter, Southeast Quarter | 40.5 |
| | | Northeast Quarter, Southeast Quarter | 40.5 |
| | | Southwest Quarter, Southeast Quarter | 40.5 |
| | | Southeast Quarter, Southeast Quarter | 32.2 |
| 8 | 33 | Northwest Quarter, Southwest Quarter | 40.5 |
| | | Northeast Quarter, Southwest Quarter | 40.5 |
| | | Southwest Quarter, Southwest Quarter | 40.5 |
| | | Southeast Quarter, Southwest Quarter | 40.5 |
| 9 | 4 | Northwest Quarter, Northwest Quarter | 40.0 |
| | | Northeast Quarter, Northwest Quarter | 40.0 |
| | | Southwest Quarter, Northwest Quarter | 38.0 |
| | | Southeast Quarter, Northwest Quarter | 14.4 |
| | | Northwest Quarter, Southwest Quarter | 4.3 |
| | | Northwest Quarter, Northeast Quarter | 26.2 |
| | | Northeast Quarter, Northeast Quarter | 3.0 |

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| <u>Desert Magic Well No.</u> | <u>Section</u> | <u>Forty-Acre Tract</u> | <u>No. of Acres to be Irrigated</u> |
|----------------------------------|--------------------------------------|--------------------------------------|---|
| 10 & 12 | 3 ^{SW} _{2SE} | Northwest Quarter, Northwest Quarter | 9.9 |
| | | Northeast Quarter, Northwest Quarter | 5.4 |
| | 34 | Northwest Quarter, Southwest Quarter | 2.0 |
| | | Northeast Quarter, Southwest Quarter | 26.2 |
| | | Southwest Quarter, Southwest Quarter | 33.3 |
| | | Southeast Quarter, Southwest Quarter | 40.9 |
| | | Northwest Quarter, Southeast Quarter | 40.9 |
| | | Northeast Quarter, Southeast Quarter | 40.9 |
| | | Southwest Quarter, Southeast Quarter | 34.1 |
| | | Southeast Quarter, Southeast Quarter | 20.8 |
| | | Northeast Quarter, Northeast Quarter | 5.0 |
| | | Southwest Quarter, Northeast Quarter | 16.0 |
| | Southeast Quarter, Northeast Quarter | 39.8 | |
| | | | |

All in Morrow County, Oregon

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13. To supply the city of
in county, having a present population of
and an estimated population of in 19.....

ANSWER QUESTIONS 14, 15, 16, 17 AND 18 IN ALL CASES

- 14. Estimated cost of proposed works, \$..... See Remarks
- 15. Construction work will begin on or before 9-1-71.....
- 16. Construction work will be completed on or before ...2 years from date of this application
being approved
- 17. The water will be completely applied to the proposed use on or before 2 years from date of
this application being approved
- 18. If the ground water supply is supplemental to an existing water supply, identify any appliapproved
cation for permit, permit, certificate or adjudicated right to appropriate water, made or held by the
applicant. NONE.....

Rex Greer
(Signature of applicant)

Rex Greer, Vice=President

Remarks:

All irrigation will be by center pivot circular sprinklers with hand
line in the corners.
Cost of wells, pumps and delivery system computed for above described
land and additional land in separate application for a total ground
water system cost of approximately one million dollars.
Wells 10 and 12 will be operated jointly.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying
maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with correc-
tions on or before, 19.....

WITNESS my hand this day of, 19.....

STATE ENGINEER

By ASSISTANT

STATE OF OREGON, }
County of Marion, } ss.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 17.73 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from Desert Magic Wells 10, 3, 4, 5, 6, 7, 8, 9, 10 and 12.

The use to which this water is to be applied is irrigation being 2.02 cfs from 10, 0.89 cfs from 3, 1.02 cfs from 4, 2.03 cfs from 5, 1.81 cfs from 6, 1.92 cfs from 7, 2.03 cfs from 8, 2.07 cfs from 9 and 3.94 cfs from 10 and 12.

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; The depth of each well shall be limited to the depth of the alluvial deposits and shall not penetrate the basalts.

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is November 5, 1971

Actual construction work shall begin on or before December 20, 1972 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1973.

Complete application of the water to the proposed use shall be made on or before October 1, 1974.

WITNESS my hand this 20th day of December, 1971

Chris L. Wheeler

STATE ENGINEER

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PERMIT
TO APPROPRIATE THE GROUND
WATERS OF THE STATE
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 5 day of November, 1971, at 2:51 o'clock P. M.

Returned to applicant:

Approved: December 20, 1971

Recorded in book No. _____ of _____
Ground Water Permits on page G-4933

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 7 page 62

77.67