



STATE OF OREGON

KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION G-10743 and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to Toffell Bros. Farms, Inc., Laddy Ray Toffell, President, Route 1, Box 248, Bonanza, Oregon 97623, phone 545-6531 for the use of the waters of 2 wells and 1 sump well

for the PURPOSE of irrigation and supplemental irrigation

that the PRIORITY OF THE RIGHT dates from June 14, 1982

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 2.09 cubic feet per second

measured at the point of diversion from the wells, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: Well 1 - 108 feet South and 106 feet East from Northwest Corner of SW 1/4 NW 1/4, Section 35; Well 2 - 330 feet North and 220 feet East from the Southwest Corner of NW 1/4 SE 1/4, Section 35; Well 3 - 355 feet North and 390 feet west from Southeast Corner of NW 1/4 SE 1/4, Section 35; Well 1 being within the SW 1/4 NW 1/4, Section 35,* A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

* Township 38 South, Range 11 1/2 East, WM, Wells 2 and 3 being within the NW 1/4 SE 1/4, Section 35, Township 38 South, Range 11 1/2 East, WM, in the County of Klamath

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Township 39 South, Range 11 1/2 East, WM	Section 2	NE 1/4	NE 1/4	<u>Primary</u> 40.0 acres
Township 38 South, Range 11 1/2 East, WM	Section 2	NW 1/4	NE 1/4	15.0 acres
	Section 35	SW 1/4	SE 1/4	6.3 acres
	Section 35	SW 1/4	SW 1/4	30.0 acres
	Section 35	SE 1/4	SW 1/4	30.0 acres
	Section 35	SE 1/4	SE 1/4	2.0 acres
	Section 35	NE 1/4	SE 1/4	2.0 acres
	Section 35	NW 1/4	SE 1/4	2.0 acres
	Section 35	SW 1/4	NW 1/4	5.0 acres
				<u>Supplemental</u>
	Section 35	NE 1/4	SW 1/4	19.4 acres
	Section 35	NW 1/4	SW 1/4	2.0 acres
	Section 35	SW 1/4	NW 1/4	2.3 acres
	Section 35	SE 1/4	NW 1/4	11.0 acres

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to 1/80 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. 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.

Actual construction work shall begin on or before October 20, 1983 , and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 84 .

Complete application of the water to the proposed use shall be made on or before October 1, 19 85 .

Witness my hand this 20th day of October , 19 82 .

/s/ JAMES E. SEXSON
WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.