



Oregon Water Resources Department 725
Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

I. APPLICANT INFORMATION

A. Individuals

Applicant: MIKE STILLS
First Last

Mailing Address: P.O. box 987

Burns OR 97720
City State Zip

Phone: 541-495-2442 Cell 541-604-0128
Home Work Other

*Fax: _____ *Email Address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: _____

Name and Title of Person Applying: _____

Mailing Address or Organization: _____

City State Zip

Phone : _____
Day Evening

*Fax: _____ *Email Address: _____

*Optional

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WATER RESOURCES DEPT
SALEM, OREGON

For Department Use		
App. No. <u>G-17200</u>	Permit No. _____	Date _____

2. PROPERTY OWNERSHIP

☒ Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

☒ There are no encumbrances

☐ This land is encumbered by easements, rights of way, roads or other encumbrances
(please provide a copy of the recorded deed(s))

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): 1

Name of nearest surface water body: Malheur Lake

Distance from well(s) to nearest stream or lake:

1) 6 miles 2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) _____ 2) _____ 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

Kenny Smith

Mailing Address: 63790 Hwy 78

Burns OR 97720
City State Zip

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Completion Date: 2009

Please provide a description of your well development. (Attach additional sheets if needed.)

Well No	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
3	14"	14" steel	160'	-	20'	80'	80'	2" p.p.	260

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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SALEM, OREGON

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
3	Pumice	IRRIGATION	1300	128260	1500 GPM

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 3 CFS
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: MARCH 1 - OCTOBER 31
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 313

(This number should be consistent with your application map.)

5. WATER MANAGEMENT**A. Diversion**

What method will you use to divert water from the source?

- ☒ Pump (give horsepower and pump type): 40 HP Turbin
☐ other means (describe): _____

B. Transport

How will you transport water to your place of use?

- ☐ Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? ☐ Yes ☐ No

- ☒ Pipe (give diameter and total length):

Diameter 6" Length 5500' ±

- ☐ other, describe: _____

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C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

center Pivots

Irrigation or land application method (check all that apply):

- | | | |
|--|--|--|
| ☐ Flood | ☐ High pressure sprinkler | ☒ Low pressure sprinkler |
| ☐ Drip | ☐ Water Cannons | ☒ Center pivot system |
| ☐ Hand Lines | ☐ Wheel Lines | |
| ☐ Siphon tubes or gated pipe with furrows | | |
| ☐ other, describe: _____ | | |

Distribution method

- | | | |
|---|---|-------------------------------------|
| ☒ Direct pipe from source | ☐ In-line storage (tank or pond) | ☐ Open Canal |
|---|---|-------------------------------------|

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin:	<u>January 1999</u>	RECEIVED NOV 20 2009 WATER RESOURCES DEPT SALEM, OREGON
Proposed date construction will be completed:	<u>October 2009</u>	
Proposed date beneficial water use will begin:	<u>Spring of 2010</u>	

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

C - use existing Pivot additional acreage with mini Pivots or wheel Lines. depending on availability and cost.

8. MAP REQUIREMENTS

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:

Mike Stille 11/19/09
Signature of Applicant (If more than one applicant, all must sign.) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:
www.wrd.state.or.us

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SALEM, OREGON



Oregon Water Resources Department

FORM I FOR IRRIGATION WATER USE

1. Please indicate whether you are requesting a primary or supplemental irrigation water right.

☒ Primary ☒ Supplemental

If supplemental, please indicate the number of acres that will be irrigated for each type of use.

Primary: 189.4 Acres SAME AS MAP JK
 Supplemental: 123.6 Acres - MAP SAYS 123.8
 PERMIT G-13773 STARTS 123.8

List the permit or certificate number of the primary water right:

No. Permit G-13773

2. Please list the anticipated crops you will grow and whether you will be irrigating them for a full or partial season:

- | | | |
|-------------------|---|---|
| 1. <u>ALFAIFA</u> | ☒ Full season | ☐ Partial season (from: <u>3-1</u> to <u>10-31</u>) |
| 2. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |
| 3. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |
| 4. _____ | ☐ Full season | ☐ Partial season (from: _____ to _____) |

3. Indicate the maximum total number of acre-feet you expect to use in an irrigation season:

939 acre-feet

(1 acre-foot equals 12 inches of water spread over 1 acre, or 43,560 cubic feet, or 325,851 gallons.)

4. How will you schedule your applications of water? Will you be applying water in the evenings, twice a week, daily?

- | | |
|---|---|
| ☐ Daily during daytime hours | ☐ Daily during nighttime hours |
| ☐ Two or three times weekly during daytime | ☐ Two or three times weekly during nighttime |
| ☐ Weekly, during daytime hours | ☐ Weekly, during nighttime hours |

☒ Other, explain: When the Crops Require Water

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SALEM, OREGON



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Mike L. Stills
 Mailing Address: P.O. Box 987
 City: Burns State: OR Zip: 97720 Day Phone: 541-495-2442

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	1/4 1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>26-S</u>	<u>31-E</u>	<u>30</u>	<u>5 1/2</u>	<u>4006</u>		☒ Diverted	☒ Conveyed	☒ Used	<u>IRR</u>
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. _____

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 3 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other _____

Briefly describe: use 40 HP Turbine Pump - mini Pivots & Pivot

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon Water
Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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SALEM, OREGON

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.020 ERM-2.

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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SALEM, OREGON

Name: Thomas Johnson Jr. Title: (Planning Assistant)

Signature: [Signature] Phone: (541) 573-8174 Date: 10 Nov 2009

Government Entity: Harney County Planning Dept

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

20082179

Grantor:
TAMMY GINI, Personal Representative
77 W. Adams
Burns, OR 97720

Grantee:
Mike Stills and Susan Stills
P. O. Box 987
Burns, OR 97720

AFTER RECORDING RETURN TO:
Mike Stills and Susan Stills
P. O. Box 987
Burns, OR 97720
PRD-EM

STATE OF OREGON
 County of Harney

I certify that the instrument identified herein was
 recorded on the 31st day of December, 2008 at 11:50 A.M. In the
 County Clerk's Office of Harney County, Oregon.
Maria Barrage, County Clerk

By: [Signature] Deputy

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE Made this 31st day of December, 2008, by and between Tammy Gini
 the duly appointed, qualified and acting personal representative of the estate of Wayne W. Ousley, deceased,
 hereinafter called the first party, and **MIKE STILLS and SUSAN STILLS, as tenants by the entirety**,
 hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first
 party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the
 said second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said
 deceased at the time of the decedent's death, and all the right, title and interest that the said estate of said deceased by
 operation of the law or otherwise may have thereafter acquired in that certain real property situate in the County of
HARNEY, State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" CONSISTING OF ONE PAGE ATTACHED HERETO.

ACCT# 23109; CODE# 4-2

MAP 25S 31E LOT 4000

TO HAVE AND TO HOLD the same unto the said party, and second party's heirs, successors-in-interest and assigns
 forever.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$310,000.00.
 However, the actual consideration consists of or includes other property or value given or promised which is part /
 whole of the consideration.

IN WITNESS WHEREOF, the said first party has executed this instrument; if first party is a corporation, it has
 caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its
 board of directors.

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WATER RESOURCES DEPT
 SALEM, OREGON

2008 2179

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Tax statements shall be mailed to: Mike Stills and Susan Stills, P.O. Box 987,
Burns, OR 97720

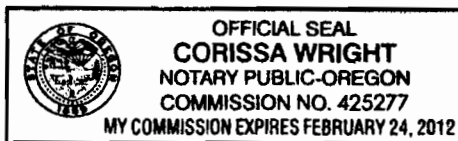
Executed this 31st day of December, 2008

Tammy Lini Personal Rep
Personal Representative for the Estate of
Wayne W. Ousley, Deceased.

STATE OF Oregon)
County of Hernandez) ss.

This instrument was acknowledged before me on Dec. 31st, 2008.
by Tammy Lini as Personal Representative for the Estate of
Wayne W. Ousley, deceased.

Corissa Wright
Notary Public of Oregon
My commission expires: Feb. 24, 2012



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2008 2179**EXHIBIT "A"**

Land in Harney County, Oregon, as follows:

In Twp. 25 S., R. 31 E., W.M.:

Sec. 30: Lots 2, 3, and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SAVE & EXCEPT road right of way over the S $\frac{1}{2}$ SE $\frac{1}{4}$ conveyed to Harney County, Oregon, by deed recorded June 18, 1962, in Book 71, Page 361, Deed Records.

Sec. 31: A parcel of land located in the NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner of said Sec. 31;
thence S. 00°13'11" E., along the West boundary of said Sec. 31, 600.96 feet;
thence N. 71°01'19" E., 1165.96 feet;
thence on a 1949.86 foot radius curve to the right (long cord bears N. 79°46'36" E., 593.56 feet) an arc distance of 595.87 feet to the North boundary of said Sec. 31;
thence N. 86°02'38" W., 1692.20 feet to the point of beginning.

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MIKE L. STILLS
PO BOX 987
BURNS, OREGON 97720

(541) 493-2073

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

APPLICATION FILE NUMBER: G-14924

SOURCE OF WATER: TWO WELLS IN HARNEY LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 123.8 ACRES, BEING 45.7 ACRES FROM WELL 1 AND 78.1 ACRES FROM WELL 2

MAXIMUM RATE: 1.55 CUBIC FOOT PER SECOND (CFS), BEING 0.57 CFS FROM WELL 1 AND 0.98 CFS FROM WELL 2

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31.

DATE OF PRIORITY: JANUARY 25, 1999

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SE 1/4 SE 1/4, SECTION 30, T25S, R31E, W.M.; WELL 2 - 540 FEET NORTH & 503 FEET WEST; WELL 1 - 40 FEET SOUTH & 1462 FEET EAST BOTH FROM S1/4 CORNER, SECTION 30

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:

	WELL 1	WELL 2
NE 1/4 SW 1/4		29.6 ACRES
SE 1/4 SW 1/4		32.3 ACRES
NW 1/4 SE 1/4	16.1 ACRES	16.2 ACRES
	WELL 1	WELL 2
SW 1/4 SE 1/4	29.6 ACRES	
	SECTION 30	
	TOWNSHIP 25 SOUTH, RANGE 31 EAST, W.M.	

Application G-14924 Water Resources Department

PERMIT G-13773

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 August 30, 2000. Complete application of the water to the use shall be made on or before October 1, 2004. 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 13, 1999



Martha C. Pagel, Director
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.

Application G-14924 Water Resources Department
Basin 12 Volume 2 SILVIES R MISC
AMH MGMT.CODE 7BG 7BR

PERMIT G-13773
District 10