STATE OF OREGON

OFFICE OF THE STATE ENGINEER

IN THE MATTER of the application of NORTH UNIT IRRIGATION DISTRICT, a municipal corporation, Madras, Oregon for a permit to appropriate 200 cfs of water from Crooked River, tributary of Deschutes River, for irrigation purposes, Jefferson County.

FILE NO. 45404

STIPULATION

WHEREAS, the NORTH UNIT IRRIGATION DISTRICT, has made application for a permit to appropriate 200 cubic feet per second of water from Crooked River, tributary of the Deschutes River, located 608 feet north and 107 feet east from the center of Section 13, Township 14 South, Range 13 East, County of Jefferson, for the purpose of irrigation, and

WHEREAS, the Oregon State Game Commission is charged by law with the duty of the preservation, propagation, protection and promotion of game fish, and

WHEREAS, Crooked River provides valuable spawning, rearing, and angling areas for resident species of game fish, and

WHEREAS, the North Unit Irrigation District has agreed to provide a fish ladder over its diversion to assure free passage of game fish, and

WHEREAS, the minimum flow of 10 cfs immediately below the point of diversion is required for the protection of the game fish and for operation of said fish ladder, and

WHEREAS, by virtue of the statutory duties imposed upon the Oregon State Game Commission it would in the performance of said duties be obliged to protest the above application if in the event of the granting of the above application and the use by the applicant of the waters of the Crooked River would reduce the flow to a point which would be detrimental to the fish life of said stream.

NOW THEREFORE it is stipulated and agreed as follows:

That the applicant NORTH UNIT IRRIGATION DISTRICT, shall not divert or otherwise withdraw any water from Crooked River which would decrease the flow immediately below the point of diversion to less than 10 cfs.

The OREGON STATE GAME COMMISSION, in consideration of the applicant having executed this stipulation, will not protest the granting of a permit.

It is further agreed that this stipulation shall be submitted to the State Engineer and, by reference, be made a part of any permit issued under the application.

DATED this 6 day of May, 1969.

NORTH UNIT IRRIGATION DISTRICT
By /s/Ben Erick
OREGON STATE GAME COMMISSION
By /s/John M. McKean, Director

STATE OF OREGON)
) ss.
County of Marion)

I certify that the within was received by me on the 12th day of May, 1969, at 8:00 o'clock a.m., and was recorded in Miscellaneous Records, Vol. 4, page 2028.

CHRIS L. WHEELER
State Engineer

$1.30 Paid

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