



STATE OF OREGON

BAKER COUNTY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

FEISS

This is to certify that I have examined APPLICATION 60168 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Wilfrid Dawes Davis of Route 2, Box 5, Huntington, Oregon 97907, phone 869-2463, for the use of the waters of Fox Creek, a tributary of Snake River, for the PURPOSE of irrigation and mining, being 4.3 cubic feet of water per second for irrigation and 1.0 cfs for mining; that the PRIORITY OF THE RIGHT dates from May 22, 1980 for 4.38 cfs for irrigation and mining and March 1, 1982 for 0.92 cfs for irrigation, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 5.3 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINTS OF DIVERSION are to be LOCATED: Diversion 0 - 2,750 feet East and 500 feet North from Southwest Corner of Section 15, being within the SW 1/4 SE 1/4 of Section 15, Township 12 South, Range 45 East, WM; Diversion 1 - 1,620 feet East and 1,120 feet North from the Southwest Corner of Section 15, being within the SE 1/4 SW 1/4 of Section 15, Township 12 South, Range 45 East, WM; Diversion 2 - 990 feet East and 1,400 feet North from the Southwest Corner of Section 15, being within the NW 1/4 SW 1/4 of Section 15, Township 12 South, Range 45 East, WM; Diversion 3 - 495 feet East and 1,580 feet North from the Southwest Corner of Section 15, being within the NW 1/4 SW 1/4 of Section 15, Township 12 South, Range 45 East, WM; Diversion 4 - 260 feet East and 3,750 feet North from the Southwest Corner of Section 15, being within the NW 1/4 NW 1/4 of Section 15, Township 12 South, Range 45 East, WM; Diversion 5 - 140 feet West and 5,800 feet North from the Southwest Corner of Section 15, being within the SE 1/4 SE 1/4 of Section 9, Township 12 South, Range 45 East, WM; Diversion 6 - 3,760 feet East and 1,220 feet South from the Northwest Corner of Section 9, being within the NW 1/4 NE 1/4 of Section 9, Township 12 South, Range 45 East, WM; Diversion 7 - 3,690 feet East and 1,120 feet South from the Northwest Corner of Section 9, being within the NW 1/4 NE 1/4 of Section 9, Township 12 South, Range 45 East, WM; Diversion 8 - 3,240 feet East and 195 feet South from the Northwest Corner of Section 9, being within the NW 1/4 NE 1/4 of Section 9, Township 12 South, Range 45 East, WM; Diversion 9 - 3,040 feet East and 330 feet North from the Southwest Corner of Section 4, being within the SW 1/4 SE 1/4 of Section 4, Township 12 South, Range 45 East, WM; Diversion 10 - 2,380 feet East and 1,815 feet North from the Southwest Corner of Section 4, being within the NE 1/4 SW 1/4 of Section 4, Township 12 South, Range 45 East, WM; Diversion 11 - 1,410 feet East and 2,370 feet North from the Southwest Corner of Section 4, being within the NE 1/4 SW 1/4 of Section 4, Township 12 South, Range 45 East, WM; Diversion 12 - 1,120 feet East and 2,600 feet North from the Southwest Corner of Section 4, being within the NW 1/4 SW 1/4 of Section 4, Township 12 South, Range 45 East, WM; Diversion 13 - 395 feet East and 3,960 feet North from the Southwest Corner of Section 4, being within the SW 1/4 NW 1/4 of Section 4, Township 12 South, Range 45 East, WM; Diversion 14 - a moveable point of diversion along the banks of Fox Creek as it passes through Sections 4, 9 and 15 of Township 12 South, Range 45 East, WM for mining between point of diversions 0 and 12, in the County of Baker.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

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ASSIGNED, See Misc. Rec., Vol. 7 2996

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Township 12 South	Range 45 East, WM	Section 4	SW 1/4	NW 1/4	3.0 acres irrigation
			NW 1/4	SW 1/4	1.0 acre irrigation
			NE 1/4	SW 1/4	15.0 acres irrigation
			SW 1/4	SE 1/4	1.0 acre irrigation
		Section 9	NW 1/4	NE 1/4	2.0 acres irrigation
			SW 1/4	NE 1/4	2.0 acres irrigation
		Section 15	NW 1/4	SE 1/4	20.0 acres irrigation
			SW 1/4	SE 1/4	25.0 acres irrigation
			NE 1/4	SW 1/4	5.0 acres irrigation
			SE 1/4	SW 1/4	30.0 acres irrigation
			NW 1/4	SW 1/4	12.0 acres irrigation
			SW 1/4	SW 1/4	23.0 acres irrigation
		Section 22	NW 1/4	NE 1/4	1.0 acre irrigation
			NE 1/4	NW 1/4	25.0 acres irrigation
			NW 1/4	NW 1/4	7.0 acres irrigation
		Section 4	SW 1/4	NW 1/4	placer mining
			NW 1/4	SW 1/4	placer mining
			NE 1/4	SW 1/4	placer mining
			SE 1/4	SW 1/4	placer mining
			SW 1/4	SE 1/4	placer mining
		Section 9	NW 1/4	NE 1/4	placer mining
			SW 1/4	NE 1/4	placer mining
			SE 1/4	NE 1/4	placer mining
			NE 1/4	SE 1/4	placer mining
			SE 1/4	SE 1/4	placer mining
		Section 10	SW 1/4	SW 1/4	placer mining
		Section 15	NW 1/4	NW 1/4	placer mining
			SW 1/4	NW 1/4	placer mining
			NW 1/4	SW 1/4	placer mining
			SW 1/4	SW 1/4	placer mining
			SE 1/4	SW 1/4	placer mining
			SW 1/4	SE 1/4	placer mining

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 one-fortieth of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before March 30, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1983.

Complete application of the water to the proposed use shall be made on or before October 1, 1984.

WITNESS my hand this 30th day of March, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

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