



STATE OF OREGON

GRANT COUNTY

"CERTIFICATE NO. 63655"

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 62172 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 Louis E. Marks of PO Box 95, Dayville, OR 97825, phone 987-2782, for the use of the waters of John Day River, a tributary of Columbia River, for the PURPOSE of irrigation and supplemental irrigation; that the PRIORITY OF THE RIGHT dates from August 10, 1981, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 1.05 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 POINT OF DIVERSION is to be LOCATED: 1,040 feet North and 1,000 feet west from the Southeast Corner of Section 6, being within the SE 1/4 SE 1/4 of Section 6, Township 13 South, Range 27 East, WM, in the County of Grant.

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

|                   |                   |            |                                |        |            |
|-------------------|-------------------|------------|--------------------------------|--------|------------|
| Township 12 South | Range 26 East, WM | Section 36 | <u>Primary Irrigation</u>      |        |            |
|                   |                   |            | NW 1/4                         | SE 1/4 | 21.5 acres |
|                   |                   |            | SW 1/4                         | SE 1/4 | 18.3 acres |
|                   |                   |            | SE 1/4                         | SE 1/4 | 1.3 acres  |
|                   |                   |            | <u>Supplemental Irrigation</u> |        |            |
|                   |                   |            | SW 1/4                         | SE 1/4 | 0.9 acre   |

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 1/40 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 5.0 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 conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before April 8, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985. Extended to October 1987

WITNESS my hand this 8th day of April, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION 62172

PERMIT 46383