



STATE OF OREGON

BAKER COUNTY "CERTIFICATE NO. 64147"

ASSIGNED See Misc. Rec., Vol. By Deed Page

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 61406 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 Ted Orr of Route 1, Haines, Oregon 97833, phone 856-3686, for the use of the waters of Powder River and an unnamed slough, being 0.7 cubic foot per second of water from Powder River for the irrigation of 28.0 acres, 4.3 cfs from Powder River when available with any deficiency in the available supply from Powder River to be made up by appropriation from the unnamed slough for the irrigation of 172.4 acres, 3.05 cfs from the unnamed slough when available with any deficiency in the available supply from the unnamed slough to be made up by appropriation from Powder River for the irrigation of 122.5 acres, and 5.35 cfs from the unnamed slough for the supplemental irrigation of 214.4 acres, tributaries of Snake River, for the PURPOSE of irrigation and supplemental irrigation; that the PRIORITY OF THE RIGHT dates from March 17, 1981, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 13.4 cfs 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 A - 600 feet South and 1,400 feet East from the Northwest Corner of Section 12, being within the NE 1/4 NW 1/4 of Section 12; Diversion B - 1,100 feet South and 70 feet East from the Northwest Corner of NE 1/4 SW 1/4 of Section 11, being within the NE 1/4 SW 1/4 of Section 11; Diversion C - 3,200 feet South and 2,170 feet East from the Northwest Corner of Section 11, being within the NE 1/4 SW 1/4 of Section 11; Diversion D - 1,100 feet South and 80 feet East from the Center of Section 11, being within the NW 1/4 SE 1/4 of Section 11, all being within Township 7 South, Range 39 East, WM, 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:

		<u>Powder River Primary - POD "A"</u>			
Township 7 South	Range 39 East, WM	Section 1	SW 1/4	SW 1/4	7.0 acres
		Section 2	NW 1/4	SE 1/4	4.0 acres
			SE 1/4	SE 1/4	6.5 acres
		Section 12	NE 1/4	NW 1/4	2.5 acres
			NW 1/4	NW 1/4	8.0 acres

		<u>Powder River Primary - POD "B"</u>					
		<u>Unnamed Slough Supplemental - POD "C"</u>					
Township 7 South	Range 39 East, WM	Section 1	SW 1/4	SW 1/4	4.9 acres		
			SE 1/4	SW 1/4	21.0 acres		
		Section 11	NE 1/4	SW 1/4	1.0 acre		
			SE 1/4	SW 1/4	11.1 acres		
		Section 12	NW 1/4	NE 1/4	4.4 acres		
			SW 1/4	NE 1/4	2.0 acres		
			NE 1/4	NW 1/4	18.9 acres		
			SE 1/4	NW 1/4	18.6 acres		
			NE 1/4	SW 1/4	28.9 acres		
			NW 1/4	SW 1/4	1.0 acre		
		Township 7 South	Range 40 East, WM	Section 18	SW 1/4	SW 1/4	7.1 acres
					SE 1/4	SW 1/4	29.0 acres
					NW 1/4	SE 1/4	10.0 acres
					SW 1/4	SE 1/4	3.1 acres
SE 1/4	NE 1/4				11.4 acres		

Unnamed Slough Primary - POD "D"
Powder River Supplemental - POD "B"

Township 7 South	Range 39 East, WM	Section 11	SW 1/4 NW 1/4	20.7 acres
			SE 1/4 SW 1/4	15.4 acres
			SW 1/4 SE 1/4	1.0 acre
		Section 14	NE 1/4 NE 1/4	16.9 acres
			NW 1/4 NE 1/4	29.5 acres
			NE 1/4 NW 1/4	39.0 acres

Unnamed Slough Supplemental - POD "C"

Township 7 South	Range 39 East, WM	Section 11	NE 1/4 SW 1/4	4.5 acres
			SE 1/4 SW 1/4	11.5 acres
			NW 1/4 SE 1/4	1.0 acre
			SW 1/4 SE 1/4	36.0 acres
			SE 1/4 SE 1/4	31.0 acres
		Section 12	NE 1/4 NW 1/4	7.5 acres
			NW 1/4 NW 1/4	5.0 acres
			SW 1/4 NW 1/4	10.5 acres
			SE 1/4 NW 1/4	18.0 acres
			NE 1/4 SW 1/4	8.0 acres
			NW 1/4 SW 1/4	21.0 acres
			SW 1/4 SW 1/4	29.4 acres
		Section 14	NE 1/4 NE 1/4	23.0 acres
			NW 1/4 NE 1/4	8.0 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 1/40 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 3.5 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 May 26, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984. Extended to Oct. 1, 1986

Complete application of the water to the proposed use shall be made on or before October 1, 1985. Extended to Oct. 1, 1986

WITNESS my hand this 28th day of May, 1982.

/s/ JAMES E. SEXSON

 WATER RESOURCES DIRECTOR

APPLICATION 61406

PERMIT 46561