



STATE OF OREGON

KLAMATH COUNTY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 63028 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 Edward C. Livingston of PO Box 67, Bly, Oregon 97622, phone 545-6276, for the use of the waters of Blue Bottle Creek and Sally Springs 1 and 2; being 0.027 cubic foot per second of water from Blue Bottle Creek, 0.09 cfs from Sally Spring 1, and 0.07 cfs from Sally Spring 2, tributaries of Lost River, for the PURPOSE of domestic use for one family and irrigation, being 0.005 cfs for domestic use for one family and 0.187 cfs for irrigation; that the PRIORITY OF THE RIGHT dates from November 6, 1981, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.192 cfs measured at the points of diversion from the stream, or their equivalent in case of rotation with other water users.

The POINTS OF DIVERSION are to be LOCATED: Diversion 1 (Spring 1) - 2,755.5 feet South and 31 feet West; Diversion 2 (Spring 2) - 2,734.5 feet South and 37 feet West; Diversion 3 (Blue Bottle Creek) - 2,772 feet South and 95.5 feet West; Diversion 4 (Blue Bottle Creek) - 2,787.5 feet South and 570.0 feet West; all from the N 1/4 Corner of Section 20, being within the NE 1/4 SW 1/4 of Section 20, Township 38 South, Range 14 East, WM, in the County of Klamath.

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

| | | | | | |
|-------------------|-------------------|------------|--------|--------|---|
| Township 38 South | Range 14 East, WM | Section 20 | SE 1/4 | NW 1/4 | 8.6 acres |
| | | | NE 1/4 | SW 1/4 | 29.55 acres and domestic use for one family |

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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the permittee has not, by filing this application, waived or abandoned any vested rights to the use of water from the sources described in this permit, 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 January 7, 1984 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.

WITNESS my hand this 7th day of January, 1983.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION 63028

PERMIT 47168

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.