



STATE OF OREGON

County of MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION **64735** 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 **Theodore R. Frahm of Route 1, Box 745, Ontario, Oregon 97914, phone 889-6791, for the use of the waters of Emerson Wasteway, tributary Snake River**

for the PURPOSE of **irrigation**

that the PRIORITY OF THE RIGHT dates from **January 14, 1983**

and is limited to the amount of water which can be applied to beneficial use and shall not exceed **8.35 cubic feet per second**

The POINT OF DIVERSION is to be LOCATED: **North 89 degrees 32 minutes East 600 feet from the Southwest Corner of Section 5, being within the SW 1/4 SW 1/4 of Section 5, Township 19 South, Range 47 East, WM, in the County of Malheur.**

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

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Township 19 South, Range 47 East, WM	Section 4	NW 1/4	NW 1/4	32.1 acres
		SW 1/4	NW 1/4	28.6
		NW 1/4	SW 1/4	24.5
	Section 5	SW 1/4	SW 1/4	20.5
		NW 1/4	NE 1/4	23.6
		SW 1/4	NE 1/4	23.6
		SE 1/4	NE 1/4	40.0
		NE 1/4	SE 1/4	40.0
		NW 1/4	SE 1/4	13.6
		SW 1/4	SE 1/4	7.3
	Section 9	SE 1/4	SE 1/4	40.0
		NW 1/4	NW 1/4	16.4
		SW 1/4	NW 1/4	12.5
		NW 1/4	SW 1/4	8.6
			SW 1/4	SW 1/4

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, 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 also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water, 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 July 15, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 85.

Complete application of the water to the proposed use shall be made on or before October 1, 19 86.

Witness my hand this 15th day of July, 19 83.

DEPUTY /s/ CHRIS L. WHEELER
WATER RESOURCES DIRECTOR

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.

APPLICATION 64735

PERMIT

47520