



STATE OF OREGON

County of GRANT

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 65014 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 Thomas Orchards, Incorporated and Jack Cavender of PO Box 348, Kimberly, Oregon 97848, phone 934-2230 or 934-2432, for the use of the waters of North Fork John Day River, Pine Hallow Creek and storage from a reservoir to be * for the PURPOSE of irrigation of 22.2 acres and supplemental irrigation of 357.1 acres

that the PRIORITY OF THE RIGHT dates from April 11, 1983

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.56 cubic foot per second, being 0.22 cfs from North Fork John Day River and 0.34 cfs from Pine Hallow Creek for irrigation with any deficiency to be made up by diversion from storage and ** The POINT OF DIVERSION is to be LOCATED: POD 1 - 200 feet South and 700 feet East from the Northwest Corner of the SE 1/4 SE 1/4 of Section 19, being within the SE 1/4 SE 1/4 of Section 19, Township 9 South, Range 26 East, WM; POD 2 - 620 feet South and 730 feet West from the Northeast Corner of Section 30, being within the NE 1/4 NE 1/4; POD 3 - 1800 feet South and 750 feet West from the Northeast Corner of Section 30, being ***

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

- * constructed under Application R-61610, Permit R-8654.
- ** 175 acre-feet stored water only for supplemental irrigation and any deficiency in the available supply for lands listed as primary
- *** within the SE 1/4 NE 1/4; POD 4 - 3650 feet South and 1330 feet West from the Northeast Corner of Section 30, being within the NW 1/4 SE 1/4, with POD 2, 3 and 4 all being in Section 30, Township 9 South, Range 26 East, WM; POD 5 - 150 feet North and 170 feet East from the Southeast Corner of NW 1/4 NE 1/4 of Section 31, being within NE 1/4 NE 1/4, Section 31, Township 8 South, Range 28 East, WM; POD 6 - 1170 feet South and 340 feet West from the Center 1/4 Corner of Section 1, being within the NE 1/4 SW 1/4 of Section 1, Township 9 South, Range 27 East, WM; and POD 7 - 1000 feet South and 20 feet West from the E 1/4 Corner of Section 2, being within the NE 1/4 SE 1/4 of Section 2, Township 9 South, Range 27 East, WM, all in the County of Grant.

SEE NEXT PAGE

APPLICATION 65014

PERMIT

47562

ASSIGNED. See Misc. Rec., Vol. 7 Page 2702

ASSIGNED. See Misc. Rec., Vol. 7 Page 2734

Supplemental

Township 9 South, Range 26 East, WM	Section 19	SE 1/4	SE 1/4	22.8 acres
	Section 20	SW 1/4	SW 1/4	3.4 acres
	Section 29	NW 1/4	NW 1/4	5.8 acres
		SW 1/4	NW 1/4	2.4 acres
	Section 30	NE 1/4	NE 1/4	25.2 acres
		NW 1/4	NE 1/4	0.5 acre
		SW 1/4	NE 1/4	17.3 acres
		SE 1/4	NE 1/4	28.0 acres
		SE 1/4	NW 1/4	1.0 acres
		NE 1/4	SW 1/4	10.8 acres
		NE 1/4	SE 1/4	4.6 acres
		NW 1/4	SE 1/4	35.3 acres
		SW 1/4	SE 1/4	6.5 acres
Township 8 South, Range 28 East, WM	Section 30	SW 1/4	SW 1/4	19.7 acres
		SE 1/4	SW 1/4	3.3 acres
	Section 31	NW 1/4	NE 1/4	17.0 acres
		NE 1/4	NW 1/4	22.4 acres
		NW 1/4	NW 1/4	30.2 acres
		SE 1/4	NW 1/4	32.1 acres
Township 9 South, Range 27 East, WM	Section 1	NE 1/4	NW 1/4	4.2 acres
		NW 1/4	NW 1/4	3.4 acres
		SW 1/4	NW 1/4	18.0 acres
		SE 1/4	NW 1/4	6.3 acres
		NE 1/4	SW 1/4	24.8 acres
		NW 1/4	SW 1/4	9.2 acres
		SW 1/4	SW 1/4	0.4 acre
		SE 1/4	SW 1/4	2.5 acres
		Primary from Pine Hallow Creek deficiency from storage		
Township 9 South, Range 27 East, WM	Section 1	SW 1/4	NW 1/4	2.7 acres
		NW 1/4	SW 1/4	10.8 acres
		Primary from North Fork John Day River deficiency from storage		
Township 9 South, Range 27 East, WM	Section 1	NE 1/4	SW 1/4	8.7 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, 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 from direct flow and storage from reservoir to be constructed under Permit R-8654, 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 July 27, 1984, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1985.

Complete application of the water to the proposed use shall be made on or before October 1, 1986. Extended to October 1, 1991

Witness my hand this 27th day of July, 1983.

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.