



## STATE OF OREGON

County of WASCO

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 68110 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 Rajneesh Neo-Sannyas International Commune of PO Box 1, Rajneeshpuram, Oregon 97741, phone 489-3463, for the use of the waters of John Day River, a tributary of Columbia River, for the PURPOSE of irrigation of 10.7 acres

that the PRIORITY OF THE RIGHT dates from June 28, 1984

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.26 cubic feet per second

The POINT OF DIVERSION is to be LOCATED: 940 feet North and 1890 feet East from the Southwest Corner of Section 23, being within the SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 19 East, WM, in the County of Wasco.

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

Township 8 South, Range 19 East, WM Section 23 SW 1/4 SE 1/4 8.6 acres  
Section 26 NW 1/4 NE 1/4 2.1

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The Water Resources Board adopted the John Day River Basin program on April 3, 1964 and recognized recreation as a beneficial use of water. The program established minimum flows of 30 cfs at Service Creek and 20 cfs at McDonald Ferry to support aquatic life.

In 1971 the Oregon voters passed an initiative creating the Scenic Waterways Act which established fish, wildlife and recreation as the highest and best uses of the water. The act designated the segment of the main stem of John Day River from Service Creek Bridge (at river mile 157) downstream 147 miles to Turnwater Fall (at river mile 10) as a scenic waterway. (ORS 390.825 (6))

The Water Policy Review Board modified the John Day River Basin program on April 4, 1981 to prohibit power development in the segment of the John Day River designated as a scenic waterway. Irrigation, among other uses, was designated as a beneficial use.

The John Day River Scenic Waterway is used extensively for whitewater boating, rafting and other recreational purposes. The boating activity declines significantly when the flows in the river are below 1000 cfs. No minimum flows have been established for recreational use.

No new diversion facilities will be constructed as the proposed diversion will utilize an existing authorized facility.

It is found that the proposed use authorized herein is a beneficial use consistent with and subject to the Scenic Waterways Act. The State Parks and Recreation Division has concurred in this finding.

Actual construction work shall begin on or before March 14, 1986, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1986.

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

Witness my hand this 14th day of March, 1985.

**/s/ WILLIAM H. YOUNG**

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.