



STATE OF OREGON

County of GRANT

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 68317 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 Frank and Manuel Silva of Box 341, Kimberly, Oregon 97848, phone 934-2352, for the use of the waters of Cupper Creek when available with any deficiency in the available supply from Cupper Creek to be made up by appropriation* for the PURPOSE of irrigation of 12.0 acres

that the PRIORITY OF THE RIGHT dates from April 4, 1985 for 0.3 cfs from Cupper Creek and 0.2 cfs from North Fork John Day River, July 15, 1985 for 0.1 cfs from North Fork John Day River

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.3 cfs

The POINT OF DIVERSION is to be LOCATED: Cupper Creek - 2440 feet North and 3850 feet West, both from the Southeast Corner of Section 5; North Fork John Day River - 1000 feet South and 2450 feet West, being within the NW 1/4 NE 1/4 of Section 8, Township 9 South, Range 27 East, WM, in the County of Grant.

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

* from North Fork John Day River, a tributary of John Day River,

Township 9 South, Range 27 East, WM Section 5 NE 1/4 SW 1/4 9.0 acres SE 1/4 SW 1/4 3.0 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, 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 conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before November 15, 1986 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 87

Complete application of the water to the proposed use shall be made on or before October 1, 19 88

Witness my hand this 15th day of November, 19 85

/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.