



# STATE OF OREGON

County of GRANT

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 68390 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 of Box 496, Kimberly, Oregon, 97848, phone 934-2870, for the use of the waters of North Fork John Day River, a tributary of John Day River, and 50.0 acre-feet stored water from reservoir \* for the PURPOSE of frost protection and irrigation, being use of 7.8 cubic feet per second from North Fork John Day River for frost protection on 52.0 acres, use of stored water from reservoir for supplemental irrigation of 20.4 acres and use of \*\* that the PRIORITY OF THE RIGHT dates from June 13, 1985, for use of 0.35 cubic foot per second from river for irrigation; June 13, 1985, for use of 5.0 cfs from River for frost protection; August 8, 1985, for use of stored water from reservoir for irrigation and February 21, 1986, for use of 2.8 cfs from River for frost protection and is limited to the amount of water which can be applied to beneficial use and shall not exceed 7.8 cubic feet per second

The POINT OF DIVERSION is to be LOCATED: 1650 feet North and 70 feet East from the Northeast corner of Section 30, being within the NW 1/4 SW 1/4 of Section 20; 620 feet South and 740 feet West and 680 feet South and 950 feet West from the Northeast corner of Section 30, both being within the NE 1/4 NE 1/4 of Section 30; 1860 feet South and 620 feet West from the Northeast corner of Section 30, being within the SE 1/4 \*\*\*

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,
- \*\* 0.35 cfs from North Fork John Day River when available with any deficiency in the available supply from the River to be made up by appropriation from the reservoir for the irrigation of 15.8 acres
- \*\*\* NE 1/4 of Section 30; 3530 feet South and 1250 feet West from the Northeast corner of Section 30, being within the NE 1/4 SE 1/4 of Section 30, Township 9 South, Range 26 East, WM, in the County of Grant.

SEE NEXT PAGE

*Part*  
 ASSIGNED. See Misc. Rec., Vol. 8 Page 514

ASSIGNED. See Misc. Rec., Vol. 7 Page 2700

APPLICATION 68390

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

PERMIT

**49637**

			<u>NORTH FORK JOHN DAY RIVER</u>
Township 9 South, Range 26 East, WM	Section 19 SE 1/4	SE 1/4	1.0 acre Frost Protection
	Section 20 SW 1/4	SW 1/4	6.0 acres Frost Protection
	Section 30 NE 1/4	NE 1/4	1.0 acre Frost Protection
		NE 1/4 SE 1/4	6.0 acres Frost Protection
		SW 1/4 NE 1/4	1.8 acres Frost Protection
			<u>SUPPLEMENTAL FROM RESERVOIR AND NORTH FORK JOHN DAY RIVER</u>
	Section 20 NW 1/4	SW 1/4	20.4 acres Supplemental Irrigation and Frost Protection
	Section 30 SW 1/4	NE 1/4	5.3 acres Irrigation, Supplemental Irrigation and Frost Protection
		NE 1/4 SW 1/4	8.1 acres Irrigation, Supplemental Irrigation and Frost Protection
		NW 1/4 SE 1/4	2.4 acres Irrigation, Supplemental Irrigation and Frost Protection

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, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The permittee shall record and submit annually to the Water Resources Department all pertinent data pertaining to use of water for temperature control on forms furnished.

Actual construction work shall begin on or before June 30, 1987, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 88.

Complete application of the water to the proposed use shall be made on or before October 1, 19 89.

Witness my hand this 30th day of June, 19 86.

/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.