

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

PETER W. SCHOENINGH, JR.
PO BOX 97
HAINES, OREGON 97833

503-856-3777

is hereby issued a permit to use the waters from WARM SPRINGS CREEK, A TRIBUTARY OF POWDER RIVER, for SUPPLEMENTAL IRRIGATION OF 222.0 ACRES. The permit to the use of these waters has been issued under Application 69201 with a date of priority of AUGUST 7, 1987. The permit is limited to not more than 5.55 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

NW 1/4 NW 1/4, Section 4, T 7 S, R 39 E, WM;
750 FEET SOUTH & 320 FEET EAST FROM SW CORNER, SECTION 33.

SW 1/4 SW 1/4, Section 33, T 6 S, R 39 E, WM;
8 FEET NORTH & 620 FEET EAST FROM SW CORNER, SECTION 33.

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 ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The permit shall be limited to any deficiency in the available supply of any prior permit for the same land and shall not exceed the limitation allowed herein.

The use of water allowed under this permit shall conform to such reasonable rotation system as may be ordered by the proper state officer. In addition when, in the judgment of the watermaster, it becomes necessary to provide water use for department management activities, the applicant will provide a report on the use of water from this diversion and methods employed to use water more efficiently and conserve water.

The place of use is as follows:

	ACRES	1/4 1/4	SECTION	TOWNSHIP	RANGE, WM
supplemental	40.00	SW NE	33	6 S	39 E
supplemental	39.00	SE NE	33	6 S	39 E
supplemental	25.00	SE NW	33	6 S	39 E
supplemental	38.00	NE SW	33	6 S	39 E
supplemental	8.00	NW SW	33	6 S	39 E
supplemental	12.00	SW SW	33	6 S	39 E
supplemental	40.00	SE SW	33	6 S	39 E
supplemental	20.00	SW NW	34	6 S	39 E

Total 222.00 supplemental acres.

Application 69201

Water Resources Department

Permit 50664

"CERTIFICATE NO. 67103"

The proposed development was reviewed and considered by the Water Resources Commission on April 1, 1988 and May 13, 1988.

Actual construction work shall begin on or before June 23, 1990, and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992.

This permit 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.

The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Issued this date, June 23, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director