

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

VALE-OREGON IRRIGATION DISTRICT  
P.O. BOX 430  
VALE, OREGON 97918

503-473-3111

to use the waters of MALHEUR RIVER, WARM SPRINGS RESERVOIR CONSTRUCTED UNDER PERMIT R-457, BEULAH RESERVOIR CONSTRUCTED UNDER PERMIT R-671, BULLY CREEK AND BULLY CREEK RESERVOIR CONSTRUCTED UNDER PERMIT R-4456, TRIBUTARIES OF SNAKE RIVER, for IRRIGATION OF 1192.0 ACRES.

This Permit is issued approving Application 67361. The date of priority is OCTOBER 6, 1983. The use is limited to not more than 29.81 CUBIC FEET PER SECOND; BEING 29.63 CFS FROM MALHEUR RIVER WITH ANY DEFICIENCY TO BE MADE UP FROM WARM SPRINGS AND BEULAH RESERVOIRS FOR THE IRRIGATION OF 1185.0 ACRES AND 0.18 CFS FROM BULLY CREEK WITH ANY DEFICIENCY TO BE MADE UP FROM BULLY CREEK RESERVOIR, MALHEUR RIVER, WARM SPRINGS AND BEULAH RESERVOIRS FOR THE IRRIGATION OF 7.0 ACRES or its equivalent in case of rotation, measured at the points of diversion from the sources.

The points of diversion are located as follows:

WARM SPRINGS DAM	- NW 1/4 SE 1/4, SECTION 8, T 23 S, R 37 E, W.M.;
AGENCY VALLEY DAM	- SW 1/4 SE 1/4, SECTION 15, T 19 S, R 37 E, W.M.;
BULLY CREEK DAM	- SE 1/4 SW 1/4, SECTION 12, T 18 S, R 43 E, W.M.;
NAMORF DIVERSION	- NW 1/4 SE 1/4, SECTION 31, T 20 S, R 41 E, W.M., 200 FEET EAST AND 70 FEET NORTH FROM SW CORNER NW 1/4 SE 1/4, SECTION 31;
LATERAL 381	- NE 1/4 NE 1/4, SECTION 9, T 16 S, R 43 E, W.M.;
LATERAL 385	- SE 1/4 SE 1/4, SECTION 10, T 16 S, R 43 E, W.M., 480 FEET SOUTH AND 200 FEET WEST FROM NE CORNER SE 1/4 SE 1/4, SECTION 10;
LATERAL 395	- SW 1/4 SE 1/4, SECTION 14, T 16 S, R 43 E, W.M., 80 FEET NORTH AND 370 FEET EAST FROM SW CORNER SW 1/4 SE 1/4, SECTION 14;
LATERAL 397	- SW 1/4 NW 1/4, SECTION 24, T 16 S, R 43 E, W.M.;
LATERAL 417	- SW 1/4 NW 1/4, SECTION 32, T 16 S, R 44 E, W.M., 230 FEET NORTH FROM SW CORNER SW 1/4 NW 1/4 SECTION 32;
LATERAL 430	- SW 1/4 SE 1/4, SECTION 4, T 17 S, R 44 E, W.M., 300 FEET WEST FROM SE CORNER SW 1/4 SE 1/4, SECTION 4;
LATERALS 444 & 445	- NE 1/4 SE 1/4, SECTION 15, T 17 S, R 44 E, W.M., 730 FEET NORTH FROM SW CORNER NE 1/4 SE 1/4, SECTION 15.

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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoirs constructed under permits R-457, R-671, and R-4456.

On May 13, 1988, the Water Resources Commission determined the public interest would not be adversely affected by the use of water and authorized the Director to issue this permit.

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

A description of the proposed place of use under the Permit is as follows:

BULLY CREEK

NE 1/4 SE 1/4 3.0 ACRES  
SECTION 19

NW 1/4 SW 1/4 4.0 ACRES  
SECTION 20

TOWNSHIP 18 SOUTH, RANGE 44 EAST, W.M.

MALHEUR RIVER

SW 1/4 SW 1/4 3.0 ACRES  
SE 1/4 SW 1/4 3.0 ACRES  
SECTION 4

SW 1/4 NW 1/4 8.0 ACRES  
SE 1/4 NW 1/4 5.0 ACRES  
SECTION 9

NW 1/4 NW 1/4 26.0 ACRES  
SW 1/4 NW 1/4 12.0 ACRES  
NW 1/4 SW 1/4 37.0 ACRES  
SECTION 22

NE 1/4 SW 1/4 8.0 ACRES  
SE 1/4 SW 1/4 13.0 ACRES  
NW 1/4 SE 1/4 15.0 ACRES  
SE 1/4 SE 1/4 2.0 ACRES  
SECTION 23

SW 1/4 NW 1/4 9.0 ACRES  
NE 1/4 SW 1/4 23.0 ACRES  
SE 1/4 SW 1/4 1.0 ACRES  
SECTION 24

NW 1/4 SW 1/4 7.0 ACRES  
SECTION 25

NW 1/4 NE 1/4 1.0 ACRE  
SECTION 26

NE 1/4 NW 1/4 4.0 ACRES  
SE 1/4 NW 1/4 2.0 ACRES  
NW 1/4 SE 1/4 11.0 ACRES  
SECTION 27

NE 1/4 NE 1/4 8.0 ACRES  
SE 1/4 NE 1/4 8.0 ACRES  
NE 1/4 SE 1/4 10.0 ACRES  
SE 1/4 SE 1/4 25.0 ACRES  
SECTION 34

TOWNSHIP 16 SOUTH, RANGE 43 EAST, W.M.

SW 1/4 NW 1/4 4.0 ACRES  
NE 1/4 SW 1/4 4.0 ACRES  
SECTION 30

SW 1/4 NE 1/4 5.0 ACRES  
SE 1/4 NW 1/4 7.0 ACRES  
NE 1/4 SW 1/4 19.0 ACRES  
NE 1/4 SE 1/4 7.0 ACRES  
NW 1/4 SE 1/4 12.0 ACRES  
SE 1/4 SE 1/4 36.0 ACRES  
SECTION 32

TOWNSHIP 16 SOUTH, RANGE 44 EAST, W.M.

SW 1/4 NE 1/4 6.0 ACRES  
 NE 1/4 NW 1/4 17.0 ACRES  
 NW 1/4 NW 1/4 34.0 ACRES  
 SE 1/4 NW 1/4 10.0 ACRES  
 NE 1/4 SW 1/4 6.0 ACRES  
 NW 1/4 SW 1/4 4.0 ACRES  
 SW 1/4 SW 1/4 5.0 ACRES

## SECTION 4

NE 1/4 NW 1/4 3.0 ACRES  
 SE 1/4 SE 1/4 3.0 ACRES

## SECTION 5

NE 1/4 SE 1/4 1.0 ACRE  
 NW 1/4 SE 1/4 11.0 ACRES

## SECTION 6

SW 1/4 NW 1/4 3.0 ACRES  
 SE 1/4 NW 1/4 1.0 ACRE  
 NE 1/4 SW 1/4 2.0 ACRES

## SECTION 9

SW 1/4 NE 1/4 1.0 ACRE  
 NE 1/4 SE 1/4 4.0 ACRES  
 SE 1/4 SE 1/4 4.0 ACRES

## SECTION 10

NW 1/4 SW 1/4 40.0 ACRES  
 SW 1/4 SW 1/4 40.0 ACRES  
 SE 1/4 SW 1/4 40.0 ACRES

## SECTION 13

SW 1/4 SE 1/4 13.0 ACRES  
 SE 1/4 SE 1/4 38.0 ACRES

## SECTION 14

NE 1/4 NE 1/4 4.0 ACRES  
 SE 1/4 NE 1/4 1.0 ACRE

## SECTION 16

NE 1/4 NE 1/4 6.0 ACRES

## SECTION 18

NW 1/4 NE 1/4 1.0 ACRE  
 SW 1/4 NE 1/4 8.0 ACRE  
 NW 1/4 SE 1/4 1.0 ACRE

## SECTION 19

SE 1/4 NW 1/4 11.0 ACRES

## SECTION 20

NE 1/4 NW 1/4 3.0 ACRES  
 NW 1/4 NW 1/4 1.0 ACRE  
 SE 1/4 SW 1/4 1.0 ACRE  
 SW 1/4 SE 1/4 14.0 ACRES

## SECTION 22

NE 1/4 SE 1/4 2.0 ACRES  
 SW 1/4 SE 1/4 3.0 ACRES  
 SE 1/4 SE 1/4 3.0 ACRES

## SECTION 23

NE 1/4 NE 1/4 17.0 ACRES  
 NW 1/4 NE 1/4 33.0 ACRES  
 SW 1/4 NE 1/4 9.0 ACRES  
 SE 1/4 NW 1/4 11.0 ACRES  
 NE 1/4 SW 1/4 4.0 ACRES  
 NW 1/4 SE 1/4 13.0 ACRES

## SECTION 24

NE 1/4 SW 1/4 3.0 ACRES  
 NW 1/4 SW 1/4 21.0 ACRES  
 SECTION 27

SE 1/4 NE 1/4 2.0 ACRES  
 NE 1/4 SE 1/4 5.0 ACRES  
 SECTION 34

TOWNSHIP 17 SOUTH, RANGE 44 EAST, W.M.

SW 1/4 SW 1/4 32.0 ACRES  
 SE 1/4 SW 1/4 20.0 ACRES  
 SW 1/4 SE 1/4 8.0 ACRES  
 SECTION 24

NW 1/4 NW 1/4 6.0 ACRES  
 SECTION 25

NW 1/4 NE 1/4 5.0 ACRES  
 SECTION 35

TOWNSHIP 18 SOUTH, RANGE 43 EAST, W.M.

SW 1/4 SW 1/4 11.0 ACRES  
 SECTION 1

SW 1/4 SE 1/4 1.0 ACRE  
 SECTION 12

NW 1/4 NE 1/4 10.0 ACRES  
 SE 1/4 SE 1/4 11.0 ACRES  
 SECTION 13

SW 1/4 NE 1/4 8.0 ACRES  
 SW 1/4 SE 1/4 4.0 ACRES  
 SECTION 14

SW 1/4 SW 1/4 12.0 ACRES  
 SECTION 16

NE 1/4 SW 1/4 16.0 ACRES  
 NW 1/4 SE 1/4 34.0 ACRES  
 SW 1/4 SE 1/4 2.0 ACRES  
 SE 1/4 SE 1/4 13.0 ACRES  
 SECTION 20

NE 1/4 NW 1/4 2.5 ACRES  
 NW 1/4 NW 1/4 3.5 ACRES  
 SW 1/4 SE 1/4 11.0 ACRES  
 SECTION 21

NE 1/4 SW 1/4 6.0 ACRES  
 NW 1/4 SE 1/4 30.0 ACRES  
 SECTION 24

SW 1/4 NE 1/4 6.0 ACRES  
 SECTION 29

TOWNSHIP 18 SOUTH, RANGE 44 EAST, W.M.

NW 1/4 NE 1/4 2.0 ACRES  
 SECTION 25

NW 1/4 SW 1/4 6.0 ACRES  
 SECTION 26

SW 1/4 SW 1/4 3.0 ACRES  
 SE 1/4 SW 1/4 2.0 ACRES  
 NE 1/4 SE 1/4 22.0 ACRES  
 NW 1/4 SE 1/4 15.0 ACRES  
 SECTION 27

SE 1/4 SW 1/4 4.0 ACRES  
 SW 1/4 SE 1/4 6.0 ACRES  
 SECTION 32

NE 1/4 NW 1/4 6.0 ACRES  
 NW 1/4 NW 1/4 3.0 ACRES  
 SECTION 34

TOWNSHIP 19 SOUTH, RANGE 42 EAST, W.M.

NW 1/4 SW 1/4 1.0 ACRE  
 SW 1/4 SW 1/4 10.0 ACRES  
 SECTION 19

NE 1/4 NW 1/4 5.0 ACRES  
 SW 1/4 NW 1/4 27.0 ACRES  
 SE 1/4 NW 1/4 11.0 ACRES  
 NE 1/4 SE 1/4 2.0 ACRES  
 SE 1/4 SE 1/4 3.0 ACRES  
 SECTION 30

TOWNSHIP 19 SOUTH, RANGE 43 EAST, W.M.

SW 1/4 SE 1/4 2.0 ACRES  
 SE 1/4 SE 1/4 5.0 ACRES  
 SECTION 14

TOWNSHIP 20 SOUTH, RANGE 41 EAST, W.M.

Actual construction work shall begin on or before September 15, 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 without waste. 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.

The use granted herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, September 15, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
 William H. Young  
 Director

APPLICATION 67361  
 BASIN 10

WATER RESOURCES DEPARTMENT  
 VOLUME 2 MALHEUR RIVER

PERMIT 50728  
 DISTRICT 9