

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DWIGHT HAMMOND
DBA HAMMOND RANCHES, INC.
DIAMOND, OREGON 97722

503-493-2324

to use the waters of THREE UNNAMED STREAMS AND KERN RESERVOIR CONSTRUCTED UNDER PERMITS R-837, R-959, R-8487, AND R-11163 tributaries of KRUMBO CREEK, for PRIMARY IRRIGATION OF 91.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 477.9 ACRES.

This Permit is issued approving Application 69063. The date of priority is APRIL 20, 1987 FOR 3.5 CFS FROM STREAMS 1 AND 2, AND SEPTEMBER 11, 1987 FOR 1.0 CFS FROM STREAM 3. The use is limited to not more than 4.5 CUBIC FEET PER SECOND; BEING 1.3 CFS FROM STREAM 1, 2.2 CFS FROM STREAM 2, AND 1.0 CFS FROM STREAM 3 or its equivalent in case of rotation, measured at the terminus of the pipeline at the open ditch leading to Kern Reservoir in the SE 1/4 SW 1/4, Section 33, T 30 S, R 32 3/4 E, W.M. and further supplemented by stored water from Kern Reservoir.

The points of diversion are located as follows:

STREAM 1 - LOT 5, STREAM 2 - LOT 2, SECTION 5, T 31 S, R 32 3/4 E, W.M.; STREAM 3 - SE 1/4 SE 1/4, SECTION 34, T 30 S, R 32 E, W.M.; KERN RESERVOIR - SE 1/4 SE 1/4, SECTION 32, T 30 S, R 32 E, W.M.; STREAM 1 - 996 FEET NORTH AND 598 FEET EAST FROM THE SW CORNER, SECTION 5, T 31 S, R 32 1/2 E, W.M.; STREAM 2 - 540 FEET SOUTH AND 850 FEET WEST FROM THE SE CORNER, SECTION 34; STREAM 3 - 200 FEET NORTH AND 300 FEET WEST FROM THE SE CORNER, SECTION 34; KERN RESERVOIR - 1400 FEET SOUTH AND 450 FEET EAST FROM THE SW CORNER, SE 1/4 SE 1/4, SECTION 32; T 30 S, R 32 E, W.M.

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 Kern Reservoir constructed under permits R-837, R-959, R-8487 and R-11163. The right shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

This development was reviewed and approved by the Water Resources Commission on September 29, 1989.

THE PERMITTEE SHALL COMPLY WITH THE TERMS AND CONDITIONS OF AN ORDER RECORDED IN VOLUME 43 PAGES 403 THROUGH 407 AND STIPULATED AGREEMENT RECORDED IN VOLUME 43 PAGES 408 THROUGH 413, ORDER RECORDS OF THE WATER RESOURCES DIRECTOR.

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:

PRIMARY IRRIGATION

SW 1/4 SW 1/4 12.4 ACRES
SE 1/4 SW 1/4 22.0 ACRES
SECTION 29

APPLICATION 69063

WATER RESOURCES DEPARTMENT

PERMIT 50749

NW 1/4 NE 1/4 1.0 ACRE
 SW 1/4 NE 1/4 9.3 ACRES
 NW 1/4 SE 1/4 0.8 ACRE

SECTION 30

NE 1/4 NW 1/4 20.0 ACRES
 NW 1/4 NW 1/4 2.4 ACRES
 SE 1/4 NW 1/4 20.0 ACRES
 SW 1/4 NE 1/4 3.6 ACRES

SECTION 32

TOWNSHIP 30 SOUTH, RANGE 32 EAST, W.M.

SUPPLEMENTAL IRRIGATION

SW 1/4 SW 1/4 11.2 ACRES
 SE 1/4 SW 1/4 28.8 ACRES
 SW 1/4 SE 1/4 8.0 ACRES

SECTION 24

NE 1/4 NE 1/4 30.8 ACRES
 NW 1/4 NE 1/4 32.4 ACRES
 SW 1/4 NE 1/4 27.6 ACRES
 SE 1/4 NE 1/4 40.0 ACRES
 NE 1/4 NW 1/4 40.0 ACRES
 NW 1/4 NW 1/4 26.0 ACRES
 SW 1/4 NW 1/4 10.4 ACRES
 SE 1/4 NW 1/4 30.0 ACRES
 NE 1/4 SE 1/4 22.4 ACRES
 NW 1/4 SE 1/4 3.2 ACRES

SECTION 25

TOWNSHIP 30 SOUTH, RANGE 31 EAST, W.M.

SW 1/4 NE 1/4 13.9 ACRES
 NE 1/4 NW 1/4 2.0 ACRES
 NW 1/4 NW 1/4 30.4 ACRES
 SW 1/4 NW 1/4 39.2 ACRES
 SE 1/4 NW 1/4 38.8 ACRES
 NW 1/4 SW 1/4 12.4 ACRES
 NE 1/4 SW 1/4 20.4 ACRES
 NW 1/4 SE 1/4 10.0 ACRES

SECTION 30

TOWNSHIP 30 SOUTH, RANGE 32 EAST, W.M.

Actual construction work shall begin on or before OCTOBER 9, 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.

THIS PERMIT IS ISSUED TO SUPERSEDE THE ORIGINAL PERMIT DATED OCTOBER 9, 1989 AND REFLECTS ONLY THE CHANGE IN LOCATION OF THE POINT OF MEASUREMENT OF THE WATER TO BE ALLOWED HEREIN.

Issued this date, JANUARY 17, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
 William H. Young
 Director

APPLICATION 69063 WATER RESOURCES DEPARTMENT PERMIT 50749
 BASIN 12 VOLUME 1A KRUMBO CREEK MISC DISTRICT 10
 69063.SB