

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RALPH BYRNE
2325 FIRST STREET
BAKER, OREGON 97814

503-523-2579

to use the waters of LOVE RESERVOIR ENLARGEMENT, to be constructed under Application R-68696, Permit R-11212, for SUPPLEMENTAL IRRIGATION OF 310.6 ACRES.

This Permit is issued approving Application 69777. The date of priority is DECEMBER 9, 1988. The use is limited to not more than 350.0 ACRE- FEET OF STORED WATER ANNUALLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SW 1/4, SECTION 24; NE 1/4 NW 1/4, SECTION 23, T 9 S, R 42 E, W.M.; LOVE RESERVOIR - 389 FEET NORTH AND 880 FEET EAST FROM SW CORNER, SECTION 24; RITTER CREEK REDIVERSION - 165 FEET SOUTH AND 3300 FEET WEST FROM NE CORNER, SECTION 23.

The amount of water used for irrigation shall be 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. This right shall be limited to any deficiency in the available supply of any prior right existing for the same land.

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:

NE 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 1

NE 1/4 NW 1/4 40.0 ACRES
NW 1/4 NW 1/4 40.0 ACRES
SW 1/4 NW 1/4 40.0 ACRES
SE 1/4 NW 1/4 31.6 ACRES
NW 1/4 SW 1/4 30.6 ACRES
SECTION 12

TOWNSHIP 9 SOUTH, RANGE 42 EAST, W.M.

LOT 7 (SW 1/4 SW 1/4) 8.4 ACRES
SECTION 6

TOWNSHIP 9 SOUTH, RANGE 43 EAST, W.M.

This project was considered and approved by the Water Resources Commission on March 30, 1990.

ASSIGNED. See Misc. Rec., Vol. *by deed*

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Actual construction work shall begin on or before APRIL 30, 1991, and shall be completed on or before October 1, 1992. Complete application of the water to the use shall be made on or before October 1, 1993.

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Failure to comply with any of the provisions of this permit may result in action including, but not limited to restrictions on the use, civil penalties or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 of water allowed 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, APRIL 30, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director