

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN AND ELFREDA SWORD
PO BOX 285
DREWSEY, OREGON 97904

503-493-2326

to use the waters of MIDDLE FORK MALHEUR RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 50.0 ACRES.

This Permit is issued approving Application 69329. The date of priority is SEPTEMBER 28, 1987 FOR 0.06 CFS AND FEBRUARY 16, 1988 FOR 1.19 CFS. The use is limited to not more than 1.25 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 32, T 18 S, R 34 E, W.M.; 130 FEET NORTH AND 380 FEET WEST FROM SE CORNER, SECTION 32.

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.

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 this Permit is as follows:

NE 1/4 NE 1/4 22.0 ACRES
NW 1/4 NE 1/4 28.0 ACRES
SECTION 29
TOWNSHIP 19 SOUTH, RANGE 34 EAST, W.M.

Actual construction work shall begin on or before JULY 27, 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.

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.

"CERTIFICATE NO. 68729"

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, JULY 27, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director