

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LOWER POWDER RIVER IRRIGATION DISTRICT  
PO BOX 965  
BAKER CITY, OREGON 97814

503-523-2928

to use the waters of THIEF VALLEY RESERVOIR, constructed under Permit R-667, a tributary of POWDER RIVER, for SUPPLEMENTAL IRRIGATION OF 156.0 ACRES.

This Permit is issued approving Application 69536. The date of priority is JULY 19, 1990. The use is limited to not more than 3.9 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 SW 1/4, SECTION 26, T 6 S, R 40 E, W.M.; RESERVOIR - 2122 FEET NORTH AND 1893 FEET EAST FROM SW CORNER, SECTION 26.

SE 1/4 NW 1/4, SECTION 34; NE 1/4 SE 1/4, SECTION 20, T 7 S, R 41 E, W.M.; ERWIN DITCH - 3779 FEET NORTH AND 171 FEET WEST; EMELE DITCH - 12574 FEET NORTH AND 8435 FEET WEST, BOTH FROM S 1/4 CORNER, SECTION 34.

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. 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 this Permit is as follows:

NE 1/4 NW 1/4 36.0 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 40.0 ACRES

SECTION 1

TOWNSHIP 8 SOUTH, RANGE 41 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.

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

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Water Resources Department  
William H. Young  
Director