

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THOMAS AND MASAYE ITO  
837 HIGHWAY 20-26  
ONTARIO, OREGON 97914

503-889-6986

to use the waters of WASTE DITCH (COX DRAIN), a tributary of MALHEUR RIVER, for SUPPLEMENTAL IRRIGATION OF 26.3 ACRES.

This permit is issued approving Application 71487. The date of priority is APRIL 4, 1991. The use is limited to not more than 0.6 CUBIC FOOT 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 15, T 18 S, R 46 E, W.M.; 19.2 FEET NORTH AND 29.5 FEET WEST FROM SE CORNER, SECTION 15.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year. This right is 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 SE 1/4 12.7 ACRES  
SE 1/4 SE 1/4 13.6 ACRES  
SECTION 15  
TOWNSHIP 18 SOUTH, RANGE 46 EAST, W.M.

Actual construction work shall begin on or before October 28, 1992, and shall be completed on or before October 1, 1993. Complete application of the water to the use shall be made on or before October 1, 1994.

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, OCTOBER 28, 1991.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director