

STATE OF OREGON

COUNTY OF UMATILLA

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

UNITED STATES OF AMERICA
BUREAU OF RECLAMATION
1150 NORTH CURTIS ROAD
BOISE, IDAHO 83706-1234

208-378-5322

to use the waters of MCKAY RESERVOIR CONSTRUCTED UNDER PERMIT R-584, a tributary of UMATILLA RIVER, for INSTREAM FISHERY ENHANCEMENT.

This permit is issued approving Application 73451. The date of priority is JUNE 21, 1993. The use is limited to not more than 12,000 ACRE-FEET STORED WATER ONLY EACH YEAR, or its equivalent in case of rotation, measured at the point of diversion from the source.

The Bureau shall notify the watermaster 48 hours in advance of the release of the water, or lesser time as approved by the watermaster, prior to the use of water under this right.

The point of diversion is located as follows:

NW 1/4 SE 1/4, SECTION 34, T 2 N, R 32 E, W.M.; 1260 FEET SOUTH AND 3650 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 34.

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:

Umatilla River from the mouth of McKay Creek, (SE 1/4 NW 1/4, Section 8, T 2 N, R 32 E, WM) to the mouth of the Umatilla River, (NW 1/4 NE 1/4, Section 18, T 5 N, R 28 E, WM) and McKay Creek from McKay Dam (NW 1/4 SE 1/4, Section 34, T 2 N, R 32 E, WM) to mouth of McKay Creek.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Actual construction work shall begin on or before July // , 1996, and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

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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 prior rights for maintaining instream flows.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date July // , 1995.

Steven P. Applegate

for
Water Resources Department
Martha O. Pagel
Director

Application 73451
Basin 7

Water Resources Department
Volume 4 McKay Creek & Misc

PERMIT 51676
District 5