

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GORDON W. AND DOROTHY A. STUART  
ROUTE 1, BOX 74 A  
RICHLAND, OREGON 97870

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-70323

SOURCE OF WATER: AN UNNAMED SPRING, TRIBUTARY OF EAGLE CREEK

PURPOSE OR USE: IRRIGATION OF 1.1 ACRES

MAXIMUM FLOW/VOLUME ALLOWED: 0.03 CUBIC FOOT PER SECOND

PERIOD OF USE: WHEN NECESSARY FOR BENEFICIAL USE IN CONNECTION WITH THE IRRIGATION OF THE RESPECTIVE LAND

DATE OF PRIORITY: APRIL 26, 1990

POINT OF DIVERSION LOCATION: SW 1/4 NW 1/4, SECTION 10, TOWNSHIP 9 SOUTH, RANGE 45 WEST, W.M.; 1350 FEET SOUTH AND 240 FEET EAST FROM NORTHWEST CORNER, SECTION 10

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 3.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 0.1 ACRE

NW 1/4 NW 1/4 0.9 ACRE

SW 1/4 NW 1/4 0.1 ACRE

SECTION 10

TOWNSHIP 9 SOUTH, RANGE 45 EAST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such

device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

#### STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

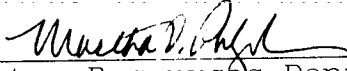
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

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Actual construction work shall begin within one year from permit issuance 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.

Issued November 9, 1995



Water Resources Department  
Martha O. Pagel  
Director

Application S-70323  
Basin 09  
DLB

Water Resources Department  
Volume 2A Eagle Creek & Misc

PERMIT 5175  
District 0