

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PHILLIPS RANCH, INC.
HCR 88 BOX 127
BAKER CITY, OREGON 97814

(541) 523-3041

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

APPLICATION FILE NUMBER: S-71210

SOURCE OF WATER: DRAIN TILE LINES AND UNNAMED SPRINGS, TRIBUTARIES OF POWDER RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 40.0 ACRES

RATE/VOLUME: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: WHEN NECESSARY FOR BENEFICIAL USE IN CONJUNCTION WITH THE IRRIGATION OF THEIR RESPECTIVE LANDS OCCURRING YEAR ROUND

DATE OF PRIORITY: JANUARY 28, 1991

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 26, TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.; 1060 FEET SOUTH & 600 FEET WEST FROM E 1/4 CORNER, SECTION 26

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:

SW 1/4 SW 1/4	2.0 ACRES
SECTION 25	
NE 1/4 SE 1/4	15.0 ACRES
NW 1/4 SE 1/4	1.0 ACRES
SW 1/4 SE 1/4	1.0 ACRES
SE 1/4 SE 1/4	21.0 ACRES
SECTION 26	
TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.	

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.
- 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.
- C. 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.

The use of water allowed herein may be made only at times when waters from the spring would not otherwise flow into a tributary of the Powder River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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 of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued July 17, 1996

for 
Martha O. Pagel, Director
Water Resources Department