

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HAROLD & BEVERLY STATEN
RT 2 BOX 390
BAKER CITY, OREGON 97814

(541) 523-3860

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

APPLICATION FILE NUMBER: S-72332

SOURCE OF WATER: AN UNNAMED RESERVOIR, CONSTRUCTED UNDER APPLICATION R-72331, PERMIT R-11876, AND SAMO SPRING DRAINAGE SYSTEM, TRIBUTARIES OF BALDOCK SLOUGH WITHIN THE POWDER RIVER BASIN

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 4.0 ACRES

RATE/VOLUME OF ALLOWED USE: 0.08 CUBIC FOOT PER SECOND FROM SAMO SPRING DRAINAGE SYSTEM AND 1.0 ACRE-FOOT STORED WATER FROM AN UNNAMED RESERVOIR TO BE CONSTRUCTED UNDER PERMIT R-11876

PERIOD OF ALLOWED USE: - LIVE FLOW IS ALLOWED FROM NOVEMBER 1 THROUGH JUNE 30 ONLY - LEGALLY STORED WATER MAY BE USED FOR BENEFICIAL USES FROM JANUARY 1 THROUGH DECEMBER 31

DATE OF PRIORITY: APRIL 20, 1992

POINT OF DIVERSION LOCATION: RESERVOIR - SE 1/4 SW 1/4, SECTION 10, T 9 S, R 40 E, W.M.; 260 FEET NORTH & 670 FEET WEST FROM S 1/4 CORNER SECTION 10; SPRING - NE 1/4 SE 1/4, SECTION 16, T 9 S, R 40 E, 1800 FEET NORTH AND 600 FEET WEST FROM THE SE CORNER SECTION 16.

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:

SE 1/4 SW 1/4 4.0 ACRES
SECTION 10
TOWNSHIP 9 SOUTH, RANGE 40 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.

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.

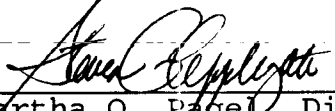
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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