

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BURNT RIVER IRRIGATION DISTRICT  
HCR 86 BOX 151  
HEREFORD, OREGON 97837

PHONE: (541) 446-3313

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

APPLICATION FILE NUMBER: S-72281

SOURCE OF WATER: UNITY RESERVOIR, CONSTRUCTED UNDER PERMIT R-726, TRIBUTARY OF THE BURNT RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 62.6 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 208.5 ACRE-FEET PER YEAR, STORED WATER ONLY

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MARCH 27, 1992

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 30, T12S, R39E, W.M.; 1310 FEET NORTH & 900 FEET WEST FROM S1/4 CORNER, SECTION 30

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 SE 1/4 0.1 ACRE  
SECTION 30  
NE 1/4 NE 1/4 12.7 ACRES  
NW 1/4 NE 1/4 35.6 ACRES  
SW 1/4 NE 1/4 11.6 ACRES  
SE 1/4 NE 1/4 2.6 ACRES  
SECTION 31

TOWNSHIP 12 SOUTH, RANGE 39 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, shall keep a complete record of the amount of water used each month and

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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.

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

The use of water under this right is subject to the terms and conditions of the existing contract, or a satisfactory replacement, between the United States and the applicant for the construction and operation of Unity Reservoir, a copy of which is on file in the records of the Water Resources Department.

#### 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, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued August 21, 1996

*for*   
Martha O. Pagel Director  
Water Resources Department

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Basin 09 Volume 3A Burnt River & Misc.

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District 08