

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DONALD Q & SALLY M GILES
850 IDLEWOOD DR
BAKER CITY, OREGON 97814

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

APPLICATION FILE NUMBER: S-74726

SOURCE OF WATER: DUTCH GULCH SPRINGS #2 & #3

PURPOSE OR USE: DOMESTIC USE FOR ONE HOUSEHOLD AND IRRIGATION OF 3.0 ACRES

RATE OF USE: 0.018 CUBIC FOOT PER SECOND (CFS), BEING 0.005 CFS FOR DOMESTIC USE AND 0.013 CFS FOR IRRIGATION USE

PERIOD OF ALLOWED USE: YEAR-ROUND FOR DOMESTIC USE; WHENEVER NECESSARY FOR BENEFICIAL USE FOR IRRIGATION

DATE OF PRIORITY: OCTOBER 18, 1994

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4 & SE 1/4 NW 1/4, SECTION 15, T9S, R39E, W.M.; DUTCH GULCH SPRING #2 - 900 FEET SOUTH & 1800 FEET EAST, DUTCH GULCH SPRING #3 - 1470 FEET SOUTH & 1400 FEET EAST, BOTH FROM THE NW CORNER OF SECTION 15

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 SE 1/4 3.0 ACRES & DOMESTIC USE
SECTION 10
TOWNSHIP 9 SOUTH, RANGE 39 EAST, W.M.

SEE NEXT PAGE

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.

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

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.

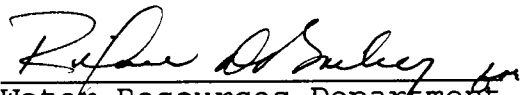
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

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 October 30, 1996


Water Resources Department
Director