

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SID JOHNSON  
3150 10TH ST.  
BAKER CITY, OREGON 97814

PHONE: (541) 523-4625

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-81602

SOURCE OF WATER: AN UNNAMED RESERVOIR, TO BE CONSTRUCTED UNDER APPLICATION R-81010, PERMIT R-12291, TRIBUTARY TO ALDER CREEK

PURPOSE OR USE: IRRIGATION OF 17.4 ACRES AND OUT-OF-SEASON IRRIGATION OF 17.4 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 20.0 ACRE-FEET PER YEAR, LIMITED TO NO MORE THAN 0.176 ACRE-FOOT (57,420.0 GALLONS) DURING THE MONTH OF OCTOBER

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30 FOR IRRIGATION AND OCTOBER 1 THROUGH OCTOBER 31 FOR OUT-OF-SEASON IRRIGATION

DATE OF PRIORITY: SEPTEMBER 27, 1996

POINT OF DIVERSION LOCATION: NW 1/4 NW 1/4, SECTION 26, T10S, R41E, W.M.; 125 FEET SOUTH & 500 FEET EAST FROM NW 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 0.25 acre-foot for each acre irrigated during the month of October and shall not exceed a total diversion of 3.0 acre-feet for each acre irrigated.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NW 1/4 17.4 ACRES  
SECTION 26  
TOWNSHIP 10 SOUTH, RANGE 41 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

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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 permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before diversion of any water.

#### 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.

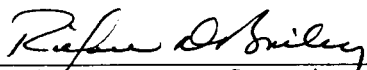
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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. Complete application of water to the use shall be made on or before October 1, 2001.

Issued October 17, 1997



Martha O. Pagel, Director  
Water Resources Department

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