

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BUREAU OF RECLAMATION
1150 CURTIS ROAD, SUITE 100
BOISE, ID 83706-1234

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

APPLICATION FILE NUMBER: S-71431

SOURCE OF WATER: OWYHEE RESERVOIR, CONSTRUCTED UNDER PERMIT R-599, ON THE OWYHEE RIVER

PURPOSE OR USE: IRRIGATION OF 1679.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 74.4 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 7015.6 ACRE-FEET PER YEAR

PERIOD OF USE: APRIL 1 TO OCTOBER 15

DATE OF PRIORITY: MARCH 25, 1991

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 21, T22S, R45E, W.M.; 264 FEET SOUTH AND 495 FEET EAST FROM WEST 1/4 CORNER, SECTION 21

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 SW 1/4	3.9 ACRES	
SW 1/4 SW 1/4	2.0 ACRES	
	SECTION 25	
TOWNSHIP 15 SOUTH, RANGE 46 EAST, W.M.		
NE 1/4 NE 1/4		14.8 ACRES
	SECTION 31	
TOWNSHIP 15 SOUTH, RANGE 47 EAST, W.M.		
NE 1/4 SE 1/4	4.2 ACRES	
SE 1/4 SE 1/4	4.0 ACRES	
	SECTION 13	
TOWNSHIP 16 SOUTH, RANGE 46 EAST, W.M.		

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 SE 1/4	4.2 ACRES	
	SECTION 7	
NW 1/4 NW 1/4	18.3 ACRES	
SW 1/4 NW 1/4	36.3 ACRES	
NW 1/4 SW 1/4	11.1 ACRES	
	SECTION 14	
SE 1/4 NE 1/4	30.4 ACRES	
NE 1/4 SE 1/4	2.4 ACRES	
	SECTION 15	
NE 1/4 SE 1/4	15.5 ACRES	
SE 1/4 SE 1/4	11.7 ACRES	
	SECTION 17	
SW 1/4 NE 1/4	0.7 ACRE	
SW 1/4 NW 1/4	5.4 ACRES	
SE 1/4 NW 1/4	1.2 ACRES	
NE 1/4 SW 1/4	0.6 ACRE	
NW 1/4 SW 1/4	28.0 ACRES	
SW 1/4 SW 1/4	0.9 ACRE	
	SECTION 18	
NE 1/4 NE 1/4	0.1 ACRE	
NW 1/4 NE 1/4	6.0 ACRES	
SW 1/4 NE 1/4	24.1 ACRES	
SE 1/4 NE 1/4	14.9 ACRES	
NE 1/4 NW 1/4	9.5 ACRES	
NW 1/4 NW 1/4	0.5 ACRE	
SE 1/4 NW 1/4	5.7 ACRES	
NE 1/4 SW 1/4	2.5 ACRES	
NW 1/4 SW 1/4	6.7 ACRES	
	SECTION 20	
NE 1/4 NW 1/4	5.6 ACRES	
NW 1/4 NW 1/4	5.3 ACRES	
SW 1/4 NW 1/4	3.3 ACRES	
SE 1/4 NW 1/4	1.7 ACRES	
NE 1/4 SW 1/4	1.0 ACRE	
SW 1/4 SW 1/4	2.3 ACRES	
SE 1/4 SW 1/4	2.5 ACRES	
NE 1/4 SE 1/4	5.4 ACRES	
SW 1/4 SE 1/4	8.4 ACRES	
SE 1/4 SE 1/4	0.9 ACRE	
	SECTION 21	
SW 1/4 NW 1/4	3.5 ACRES	
NE 1/4 SW 1/4	2.7 ACRES	
SE 1/4 SW 1/4	0.6 ACRE	
SW 1/4 SE 1/4	2.8 ACRES	
	SECTION 22	
NW 1/4 NE 1/4	1.7 ACRES	
	SECTION 27	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NE 1/4	1.6 ACRES	
SW 1/4 SW 1/4	1.6 ACRES	
	SECTION 28	
NE 1/4 NE 1/4	2.1 ACRES	
SE 1/4 NE 1/4	0.5 ACRE	
	SECTION 29	
NE 1/4 NW 1/4	27.8 ACRES	
NW 1/4 NW 1/4	38.0 ACRES	
SW 1/4 NW 1/4	39.3 ACRES	
SE 1/4 NW 1/4	21.9 ACRES	
NE 1/4 SW 1/4	9.5 ACRES	
SE 1/4 SE 1/4	11.5 ACRES	
	SECTION 32	
SE 1/4 NW 1/4	2.0 ACRES	
SW 1/4 SW 1/4	19.0 ACRES	
NE 1/4 SE 1/4	6.2 ACRES	
NW 1/4 SE 1/4	5.4 ACRES	
	SECTION 33	
SE 1/4 NE 1/4	5.1 ACRES	
NE 1/4 NW 1/4	9.3 ACRES	
NW 1/4 NW 1/4	0.6 ACRE	
SW 1/4 NW 1/4	2.1 ACRES	
SE 1/4 NW 1/4	2.7 ACRES	
SE 1/4 SW 1/4	6.8 ACRES	
NE 1/4 SE 1/4	4.6 ACRES	
	SECTION 34	
TOWNSHIP 16 SOUTH, RANGE 47 EAST, W.M.		
NE 1/4 SE 1/4	18.5 ACRES	
	SECTION 12	
NE 1/4 SW 1/4	9.5 ACRES	
NW 1/4 SW 1/4	0.5 ACRE	
SW 1/4 SW 1/4	14.0 ACRES	
SW 1/4 SE 1/4	12.6 ACRES	
	SECTION 13	
SE 1/4 SE 1/4	8.0 ACRES	
	SECTION 14	
SW 1/4 NE 1/4	3.7 ACRES	
NW 1/4 SE 1/4	2.3 ACRES	
	SECTION 23	
NW 1/4 NE 1/4	1.5 ACRES	
SW 1/4 NE 1/4	5.0 ACRES	
SW 1/4 NW 1/4	5.2 ACRES	
NE 1/4 SW 1/4	3.0 ACRES	
SE 1/4 SW 1/4	0.8 ACRE	
NE 1/4 SE 1/4	14.2 ACRES	
NW 1/4 SE 1/4	14.8 ACRES	
	SECTION 24	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NE 1/4	1.3 ACRES	
NE 1/4 NW 1/4	1.9 ACRES	
NW 1/4 NW 1/4	1.0 ACRE	
NW 1/4 SW 1/4	0.8 ACRE	
SW 1/4 SW 1/4	1.3 ACRES	
	SECTION 25	
SE 1/4 SE 1/4	1.7 ACRES	
	SECTION 26	
NE 1/4 NE 1/4	5.0 ACRES	
NE 1/4 SW 1/4	3.5 ACRES	
SW 1/4 SE 1/4	3.2 ACRES	
	SECTION 35	
TOWNSHIP 17 SOUTH, RANGE 46 EAST, W.M.		
NW 1/4 NE 1/4	2.5 ACRES	
NE 1/4 NW 1/4	20.5 ACRES	
SW 1/4 SW 1/4	3.0 ACRES	
SE 1/4 SW 1/4	12.3 ACRES	
	SECTION 3	
NE 1/4 NW 1/4	2.6 ACRES	
	SECTION 4	
NE 1/4 NE 1/4	0.8 ACRE	
SE 1/4 NE 1/4	7.5 ACRES	
SW 1/4 SW 1/4	3.7 ACRES	
	SECTION 5	
NE 1/4 NE 1/4	15.9 ACRES	
NE 1/4 SW 1/4	3.4 ACRES	
NW 1/4 SW 1/4	18.1 ACRES	
NE 1/4 SE 1/4	0.8 ACRE	
NW 1/4 SE 1/4	3.1 ACRES	
SE 1/4 SE 1/4	1.3 ACRES	
	SECTION 7	
NE 1/4 SW 1/4	1.3 ACRES	
NW 1/4 SW 1/4	5.4 ACRES	
SW 1/4 SW 1/4	0.8 ACRE	
	SECTION 8	
SE 1/4 NE 1/4	1.7 ACRES	
	SECTION 9	
NW 1/4 NW 1/4	0.9 ACRE	
	SECTION 17	
NW 1/4 NW 1/4	10.1 ACRES	
SW 1/4 NW 1/4	1.5 ACRES	
	SECTION 18	
SE 1/4 NW 1/4	3.0 ACRES	
NE 1/4 SW 1/4	1.0 ACRE	
	SECTION 19	
SW 1/4 NW 1/4	10.6 ACRES	
NW 1/4 SW 1/4	0.6 ACRE	
	SECTION 20	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NW 1/4	2.0 ACRES	
	SECTION 21	
NE 1/4 NE 1/4	17.5 ACRES	
SE 1/4 NE 1/4	2.5 ACRES	
SW 1/4 SW 1/4	5.0 ACRES	
	SECTION 30	
NW 1/4 NW 1/4	23.4 ACRES	
SW 1/4 NW 1/4		28.6 ACRES
	SECTION 32	
TOWNSHIP 17 SOUTH, RANGE 47 EAST, W.M.		
NE 1/4 NE 1/4	0.8 ACRE	
	SECTION 7	
NE 1/4 NE 1/4	2.4 ACRES	
SW 1/4 NE 1/4	0.7 ACRE	
NE 1/4 SE 1/4	4.8 ACRES	
	SECTION 8	
NE 1/4 SW 1/4	2.6 ACRES	
	SECTION 9	
SW 1/4 SE 1/4	20.8 ACRES	
	SECTION 10	
SW 1/4 SW 1/4	12.0 ACRES	
	SECTION 11	
NW 1/4 SW 1/4	12.4 ACRES	
	SECTION 12	
NW 1/4 NW 1/4	5.6 ACRES	
	SECTION 14	
SE 1/4 NW 1/4	5.0 ACRES	
	SECTION 15	
NE 1/4 NW 1/4	1.0 ACRE	
	SECTION 16	
TOWNSHIP 18 SOUTH, RANGE 45 EAST, W.M.		
SE 1/4 NW 1/4	4.4 ACRES	
	SECTION 2	
NE 1/4 SW 1/4	1.8 ACRES	
NW 1/4 SW 1/4	0.1 ACRE	
	SECTION 6	
NW 1/4 NE 1/4	36.7 ACRES	
	SECTION 10	
SW 1/4 SW 1/4	7.0 ACRES	
SE 1/4 SW 1/4	10.0 ACRES	
	SECTION 24	
NE 1/4 SW 1/4		10.9 ACRES
NW 1/4 SW 1/4		3.4 ACRES
	SECTION 26	
NW 1/4 NW 1/4	6.0 ACRES	
SE 1/4 NW 1/4	1.9 ACRES	
	SECTION 27	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NE 1/4	0.7 ACRE	
NE 1/4 NW 1/4	5.1 ACRES	
NW 1/4 NW 1/4	1.5 ACRES	
	SECTION 28	
NE 1/4 NE 1/4	5.7 ACRES	
SW 1/4 NE 1/4	14.5 ACRES	
SE 1/4 NE 1/4	3.2 ACRES	
NW 1/4 SW 1/4	2.7 ACRES	
NE 1/4 SE 1/4	3.4 ACRES	
	SECTION 29	
SW 1/4 NE 1/4	8.7 ACRES	
SE 1/4 NE 1/4	8.5 ACRES	
NW 1/4 SE 1/4	1.3 ACRES	
	SECTION 30	
NE 1/4 NE 1/4	14.0 ACRES	
NW 1/4 NE 1/4	1.8 ACRES	
SE 1/4 NE 1/4	4.1 ACRES	
NW 1/4 SE 1/4	2.4 ACRES	
	SECTION 32	
NW 1/4 SW 1/4	12.9 ACRES	
	SECTION 33	
NW 1/4 NE 1/4	3.4 ACRES	
NW 1/4 NW 1/4	3.9 ACRES	
	SECTION 34	
NW 1/4 NW 1/4	8.3 ACRES	
SW 1/4 NW 1/4	22.3 ACRES	
SE 1/4 NW 1/4	11.5 ACRES	
NE 1/4 SW 1/4	4.6 ACRES	
	SECTION 35	
TOWNSHIP 18 SOUTH, RANGE 46 EAST, W.M.		
SE 1/4 SW 1/4	4.7 ACRES	
SW 1/4 SE 1/4	1.7 ACRES	
	SECTION 13	
NE 1/4 SW 1/4	3.0 ACRES	
SE 1/4 SW 1/4	5.1 ACRES	
NE 1/4 SE 1/4	1.5 ACRES	
NW 1/4 SE 1/4	1.8 ACRES	
SW 1/4 SE 1/4	9.2 ACRES	
SE 1/4 SE 1/4	6.4 ACRES	
	SECTION 14	
SE 1/4 SW 1/4	16.1 ACRES	
NW 1/4 SE 1/4	4.8 ACRES	
SW 1/4 SE 1/4	32.3 ACRES	
SE 1/4 SE 1/4	4.6 ACRES	
	SECTION 15	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE 1/4 NW 1/4	4.0 ACRES	
NW 1/4 NW 1/4	6.5 ACRES	
SE 1/4 SE 1/4	6.1 ACRES	
	SECTION 23	
NE 1/4 NE 1/4	0.7 ACRE	
NW 1/4 NE 1/4	1.2 ACRE	
SW 1/4 NE 1/4	3.1 ACRES	
NE 1/4 SW 1/4	3.0 ACRES	
	SECTION 24	
SW 1/4 NW 1/4	5.4 ACRES	
SW 1/4 SW 1/4	1.3 ACRES	
	SECTION 25	
SE 1/4 NE 1/4	9.8 ACRES	
NW 1/4 SE 1/4	2.3 ACRES	
SW 1/4 SE 1/4	2.0 ACRES	
	SECTION 26	
SE 1/4 SE 1/4	3.5 ACRES	
	SECTION 27	
NE 1/4 SW 1/4	6.1 ACRES	
SW 1/4 SW 1/4	2.7 ACRES	
	SECTION 34	
SE 1/4 NE 1/4	8.9 ACRES	
NE 1/4 SE 1/4	6.0 ACRES	
	SECTION 35	
NE 1/4 NW 1/4	5.7 ACRES	
NE 1/4 SW 1/4	3.8 ACRES	
	SECTION 36	
TOWNSHIP 19 SOUTH, RANGE 46 EAST, W.M.		
SE 1/4 NE 1/4	0.3 ACRE	
NE 1/4 SE 1/4	12.4 ACRES	
NW 1/4 SE 1/4	0.6 ACRE	
	SECTION 9	
NW 1/4 SW 1/4	1.7 ACRES	
	SECTION 10	
NW 1/4 SE 1/4	2.3 ACRES	
SW 1/4 SE 1/4	6.8 ACRES	
	SECTION 11	
NE 1/4 SW 1/4	13.4 ACRES	
NW 1/4 SW 1/4	4.6 ACRES	
SW 1/4 SW 1/4	1.1 ACRES	
SE 1/4 SW 1/4	13.9 ACRES	
SW 1/4 SE 1/4	22.4 ACRES	
	SECTION 12	
NE 1/4 NE 1/4	1.0 ACRE	
SW 1/4 SW 1/4	1.1 ACRES	
NE 1/4 SE 1/4	2.5 ACRES	
SE 1/4 SE 1/4	17.1 ACRES	
	SECTION 13	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NE 1/4	0.2 ACRE	
NE 1/4 SW 1/4	0.8 ACRE	
NW 1/4 SE 1/4	2.5 ACRES	
	SECTION 23	
NE 1/4 NW 1/4	1.4 ACRES	
NW 1/4 SW 1/4	0.2 ACRE	
SW 1/4 SW 1/4	1.8 ACRES	
	SECTION 36	
TOWNSHIP 20	SOUTH, RANGE 45 EAST, W.M.	
NW 1/4 NE 1/4	4.0 ACRES	
	SECTION 3	
SE 1/4 NE 1/4	1.6 ACRES	
NE 1/4 SE 1/4	6.0 ACRES	
	SECTION 5	
SW 1/4 NE 1/4	1.6 ACRES	
NW 1/4 SE 1/4	1.9 ACRES	
	SECTION 7	
NW 1/4 SW 1/4	7.9 ACRES	
SW 1/4 SW 1/4	11.7 ACRES	
	SECTION 9	
SE 1/4 SE 1/4	0.6 ACRE	
	SECTION 15	
NE 1/4 NW 1/4	6.1 ACRES	
NW 1/4 NW 1/4	4.2 ACRES	
NE 1/4 SW 1/4	2.6 ACRES	
SW 1/4 SE 1/4	5.9 ACRES	
	SECTION 18	
NE 1/4 NE 1/4	1.0 ACRE	
	SECTION 22	
NW 1/4 NE 1/4	5.4 ACRES	
	SECTION 24	
NW 1/4 SE 1/4	3.2 ACRES	
	SECTION 29	
SE 1/4 SW 1/4	26.0 ACRES	
	SECTION 32	
TOWNSHIP 20	SOUTH, RANGE 46 EAST, W.M.	
NW 1/4 SW 1/4	19.7 ACRES	
SW 1/4 SW 1/4	11.8 ACRES	
	SECTION 2	
NE 1/4 NW 1/4	7.6 ACRES	
NW 1/4 NW 1/4	9.3 ACRES	
SW 1/4 NW 1/4	13.4 ACRES	
NW 1/4 SW 1/4	5.0 ACRES	
	SECTION 11	
NE 1/4 NE 1/4	2.1 ACRES	
SE 1/4 NE 1/4	2.0 ACRES	
SW 1/4 SW 1/4	8.3 ACRES	
	SECTION 12	

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NE 1/4	3.5 ACRES	
NE 1/4 NW 1/4	11.5 ACRES	
SE 1/4 NW 1/4	2.7 ACRES	
	SECTION 14	
TOWNSHIP 21 SOUTH, RANGE 45 EAST, W.M.		
NE 1/4 SE 1/4	8.0 ACRES	
	SECTION 2	
SW 1/4 SW 1/4	5.3 ACRES	
SE 1/4 SW 1/4	1.2 ACRES	
	SECTION 6	
NW 1/4 NW 1/4	1.2 ACRES	
NW 1/4 SE 1/4		4.2 ACRES
SW 1/4 SE 2/4		12.3 ACRES
SE 1/4 SE 1/4	5.8 ACRES	
	SECTION 7	
SE 1/4 NE 1/4	2.2 ACRES	
NE 1/4 NW 1/4	0.6 ACRES	
	SECTION 11	
NE 1/4 SW 1/4	11.3 ACRES	
NW 1/4 SW 1/4	1.2 ACRES	
NE 1/4 SE 1/4	1.5 ACRES	
NW 1/4 SE 1/4	7.4 ACRES	
SW 1/4 SE 1/4	1.5 ACRES	
SE 1/4 SE 1/4	4.0 ACRES	
	SECTION 12	
NW 1/4 SE 1/4	8.4 ACRES	
	SECTION 14	
NW 1/4 NE 1/4		0.2 ACRE
SW 1/4 SW 1/4	6.7 ACRES	
SE 1/4 SW 1/4	3.7 ACRES	
	SECTION 18	
NE 1/4 SW 1/4	23.8 ACRES	
NW 1/4 SW 1/4	5.0 ACRES	
	SECTION 22	
TOWNSHIP 21 SOUTH, RANGE 46 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 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 permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to 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.

Actual construction work shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2011. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued May 24, 2007

E. Timothy Ward for

Phillip C. Ward, Director