

STATE OF OREGON
 COUNTY OF MORROW

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

WILLOW CREEK DISTRICT IMPROVEMENT COMPANY
 55805 HWY 74
 HEPPNER OR 97836

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

APPLICATION FILE NUMBER: S-88518

SOURCE OF WATER: WILLOW CREEK RESERVOIR, CONSTRUCTED UNDER PERMIT R-10880, TRIBUTARY TO WILLOW CREEK

MAXIMUM VOLUME: 1000.0 ACRE-FEET (OR AS FURTHER LIMITED BY CONTRACT)

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 2510.04 ACRES

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 8, 2018

AUTHORIZED POINTS OF RE-DIVERSION:

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
THOMPSON MEADOWBROOK FARM POD	1 S	25 E	WM	35	NE SE	1540 FEET NORTH AND 2100 FEET EAST FROM S1/4 CORNER, SECTION 35
TD1 HEPPNER TO LEXINGTON PIPE LINE	2 S	26 E	WM	27	NE NW	1120 FEET SOUTH AND 1820 FEET EAST FROM NW CORNER, SECTION 27
DUANE NEIFFER POD 1	1 S	25 E	WM	28	NE SE	1340 FEET NORTH AND 250 FEET WEST FROM SE CORNER, SECTION 28
DUANE NEIFFER POD 2	1 S	25 E	WM	28	NE SE	2560 FEET NORTH AND 1280 FEET WEST FROM SE CORNER, SECTION 28
DUANE NEIFFER POD 3	1 S	23 E	WM	1	SW SE	100 FEET NORTH AND 1340 FEET WEST FROM SE CORNER, SECTION 1
MARK MCELLIGOTT POD 1	1 S	24 E	WM	12	SE NE	50 FEET NORTH AND 1960 FEET EAST FROM C1/4 CORNER, SECTION 12
MARK MCELLIGOTT POD 2	1 S	24 E	WM	12	SW NW	2100 FEET SOUTH AND 30 FEET EAST FROM NW CORNER, SECTION 12
EMERT RANCHES POD 2	1 S	24 E	WM	11	SE NE	2120 FEET SOUTH AND 30 FEET WEST FROM NE CORNER, SECTION 11
EMERT RANCHES POD 3	1 S	24 E	WM	11	SW NE	1400 FEET SOUTH AND 1000 FEET EAST FROM N1/4 CORNER, SECTION 11
EMERT RANCHES POD 5	1 S	24 E	WM	10	NE NE	20 FEET SOUTH AND 1240 FEET WEST FROM NE CORNER, SECTION 10

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
HOSKINS AND GRIFFITH POD 1	2 S	26 E	WM	27	SE NW	1810 FEET SOUTH AND 400 FEET WEST FROM N1/4 CORNER, SECTION 27
HOSKINS AND GRIFFITH POD 2	2 S	26 E	WM	27	SW NE	2510 FEET SOUTH AND 200 FEET EAST FROM N1/4 CORNER, SECTION 27
SHATTUCK/BARROW POD 1	2 S	25 E	WM	1	SW NE	920 FEET NORTH AND 160 FEET EAST FROM C1/4 CORNER, SECTION 1
TEMPLE POD 1	1 S	25 E	WM	36	SW SW	560 FEET NORTH AND 450 FEET EAST FROM SW CORNER, SECTION 36
TEMPLE POD 2	2 S	25 E	WM	1	SW NE	910 FEET NORTH AND 140 FEET EAST FROM C1/4 CORNER, SECTION 1
TRAVIS HARRISON POD	1 S	25 E	WM	20	NE SE	1575 FEET NORTH AND 1280 FEET WEST FROM SE CORNER, SECTION 20
THOMPSON POD 1	2 S	26 E	WM	7	SE NW	2350 FEET SOUTH AND 3040 FEET WEST FROM NE CORNER, SECTION 7
THOMPSON POD 2	2 S	26 E	WM	17	NW SE	800 FEET SOUTH FROM C1/4 CORNER, SECTION 17
DAMON POD 1	2 S	26 E	WM	8	SW SW	100 FEET NORTH AND 550 FEET EAST FROM SW CORNER, SECTION 8
DAMON POD 2	2 S	26 E	WM	21	NE SW	2150 FEET NORTH AND 1300 FEET WEST FROM S1/4 CORNER, SECTION 21
DAMON POD 3	2 S	26 E	WM	21	SW SE	50 FEET NORTH AND 1150 FEET EAST FROM S1/4 CORNER, SECTION 21

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

AUTHORIZED PLACE OF USE:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	23 E	WM	1	SW NW	4.40
1 S	23 E	WM	1	NE SW	1.30
1 S	23 E	WM	1	NW SW	25.10
1 S	23 E	WM	1	SW SW	14.20
1 S	23 E	WM	1	SE SW	18.80
1 S	23 E	WM	1	SW SE	0.70
1 S	23 E	WM	12	NW NE	31.10
1 S	23 E	WM	12	NE NW	13.20
1 S	24 E	WM	2	SW SW	1.50
1 S	24 E	WM	3	SE SW	13.30
1 S	24 E	WM	3	SW SE	21.90
1 S	24 E	WM	3	SE SE	20.20
1 S	24 E	WM	10	NE NE	22.20
1 S	24 E	WM	10	NW NE	15.50
1 S	24 E	WM	10	NE NW	22.65
1 S	24 E	WM	10	NW NW	12.40
1 S	24 E	WM	11	NW NE	3.20
1 S	24 E	WM	11	SW NE	33.60
1 S	24 E	WM	11	SE NE	31.00
1 S	24 E	WM	11	NE NW	13.70

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	24 E	WM	11	NW NW	26.90
1 S	24 E	WM	11	SW NW	5.60
1 S	24 E	WM	11	SE NW	19.84
1 S	24 E	WM	11	NE SE	10.90
1 S	24 E	WM	11	NW SE	1.70
1 S	24 E	WM	12	SW NW	17.00
1 S	24 E	WM	12	SE NW	5.00
1 S	24 E	WM	12	NE SW	28.00
1 S	24 E	WM	12	NW SW	29.00
1 S	24 E	WM	12	SE SW	13.00
1 S	25 E	WM	20	SW NE	0.80
1 S	25 E	WM	20	SW NW	9.58
1 S	25 E	WM	20	SE NW	6.11
1 S	25 E	WM	20	NE SW	18.14
1 S	25 E	WM	20	NW SW	1.54
1 S	25 E	WM	20	NE SE	10.80
1 S	25 E	WM	20	NW SE	4.20
1 S	25 E	WM	20	SE SE	3.50
1 S	25 E	WM	21	NW SW	0.30
1 S	25 E	WM	21	SW SW	13.10

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	27	NW SW	2.50
1 S	25 E	WM	28	SW NE	15.50
1 S	25 E	WM	28	NE NW	5.50
1 S	25 E	WM	28	SE NW	8.00
1 S	25 E	WM	28	NE SE	20.00
1 S	25 E	WM	28	NW SE	1.50
1 S	25 E	WM	34	NE NE	8.80
1 S	25 E	WM	34	NW NE	17.20
1 S	25 E	WM	34	SW NE	39.30
1 S	25 E	WM	34	SE NE	32.70
1 S	25 E	WM	34	NE NW	10.90
1 S	25 E	WM	34	NW NW	21.90
1 S	25 E	WM	34	SW NW	30.40
1 S	25 E	WM	34	SE NW	16.80
1 S	25 E	WM	34	NE SE	17.90
1 S	25 E	WM	34	NW SE	14.80
1 S	25 E	WM	34	SW SE	0.10
1 S	25 E	WM	34	SE SE	12.40
1 S	25 E	WM	35	SW NE	3.20
1 S	25 E	WM	35	NW NW	1.40
1 S	25 E	WM	35	SW NW	24.30
1 S	25 E	WM	35	SE NW	16.30
1 S	25 E	WM	35	NE SW	38.00
1 S	25 E	WM	35	NW SW	30.40
1 S	25 E	WM	35	SW SW	28.80
1 S	25 E	WM	35	SE SW	25.10
1 S	25 E	WM	35	NE SE	8.10
1 S	25 E	WM	35	NW SE	30.30
1 S	25 E	WM	35	SW SE	40.00
1 S	25 E	WM	35	SE SE	27.20
1 S	25 E	WM	36	SW SW	13.32
1 S	25 E	WM	36	SE SW	1.90
2 S	25 E	WM	1	NE NW	15.80
2 S	25 E	WM	1	SE NW	2.50
2 S	25 E	WM	2	NE NE	14.30
2 S	25 E	WM	2	NW NE	38.00
2 S	25 E	WM	2	SW NE	33.90
2 S	25 E	WM	2	SE NE	8.30
2 S	25 E	WM	2	NE NW	13.20
2 S	25 E	WM	2	SW NW	7.80
2 S	25 E	WM	2	SE NW	3.10
2 S	25 E	WM	2	NE SW	19.80
2 S	25 E	WM	2	NW SW	25.50
2 S	25 E	WM	2	SW SW	33.30
2 S	25 E	WM	2	SE SW	27.30
2 S	25 E	WM	2	NE SE	13.00
2 S	25 E	WM	2	NW SE	28.80
2 S	25 E	WM	2	SW SE	36.50
2 S	25 E	WM	2	SE SE	18.00
2 S	25 E	WM	3	NE SE	29.20
2 S	25 E	WM	3	NW SE	30.10
2 S	25 E	WM	3	SW SE	30.90

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	3	SE SE	30.70
2 S	25 E	WM	12	NE NE	12.00
2 S	25 E	WM	12	SE NE	17.45
2 S	25 E	WM	12	NE SE	0.25
2 S	26 E	WM	7	NE NE	19.60
2 S	26 E	WM	7	NW NE	29.70
2 S	26 E	WM	7	SW NE	34.90
2 S	26 E	WM	7	SE NE	16.00
2 S	26 E	WM	7	NE NW	38.20
2 S	26 E	WM	7	NW NW	27.00
2 S	26 E	WM	7	SW NW	32.30
2 S	26 E	WM	7	SE NW	32.30
2 S	26 E	WM	7	NE SW	29.00
2 S	26 E	WM	7	NW SW	38.50
2 S	26 E	WM	7	SW SW	38.80
2 S	26 E	WM	7	SE SW	40.00
2 S	26 E	WM	7	NE SE	28.80
2 S	26 E	WM	7	NW SE	32.50
2 S	26 E	WM	7	SW SE	5.00
2 S	26 E	WM	7	SE SE	32.80
2 S	26 E	WM	8	NW NW	6.00
2 S	26 E	WM	8	SW NW	0.50
2 S	26 E	WM	8	NW SW	3.40
2 S	26 E	WM	8	SW SW	18.25
2 S	26 E	WM	17	NE NW	1.00
2 S	26 E	WM	17	NW NW	28.00
2 S	26 E	WM	17	SW NW	17.20
2 S	26 E	WM	17	SE NW	24.50
2 S	26 E	WM	17	NE SW	34.90
2 S	26 E	WM	17	NW SW	33.20
2 S	26 E	WM	17	SW SW	34.50
2 S	26 E	WM	17	SE SW	39.80
2 S	26 E	WM	17	NE SE	0.02
2 S	26 E	WM	17	NW SE	21.50
2 S	26 E	WM	17	SW SE	15.82
2 S	26 E	WM	17	SE SE	22.20
2 S	26 E	WM	18	NE NE	5.10
2 S	26 E	WM	20	NE NE	22.30
2 S	26 E	WM	20	SE NE	1.90
2 S	26 E	WM	21	NW NW	17.15
2 S	26 E	WM	21	SW NW	32.17
2 S	26 E	WM	21	SE NW	8.45
2 S	26 E	WM	21	NE SW	4.00
2 S	26 E	WM	21	NW SW	5.20
2 S	26 E	WM	21	SW NE	1.00
2 S	26 E	WM	27	NE NW	4.50
2 S	26 E	WM	27	NW NW	4.20
2 S	26 E	WM	27	SW NW	4.70
2 S	26 E	WM	27	SE NW	21.00
2 S	26 E	WM	27	NE SW	1.00
2 S	26 E	WM	27	NW SE	2.00

1. Water Use Measurement, Recording, and Reporting Condition:

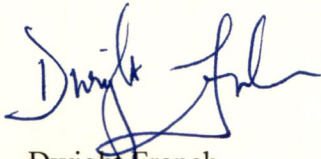
- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of re-diversion. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
2. The water user shall install, maintain, and operate fish screening and fish passage devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while passage devices provide adequate upstream and downstream passage for fish. The required screen and passage devices are to be in place and functional, and approved in writing by ODFW prior to diversion of water. The water user may submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.
3. The use of water under this right is subject to the terms and conditions of contract No. 129E101776, or a satisfactory replacement, between the Bureau of Reclamation and the permittee, a copy of which must be on file in the records of the Water Resources Department.
4. Use of water under this permit shall be subject to applicable provisions of the articles of incorporation, bylaws, rules and regulations of the Willow Creek District Improvement Company.
5. The use of stored water under this permit may be used in place of any existing groundwater right for primary irrigation of the same land in order to conserve groundwater supplies.

STANDARD CONDITIONS

- 1. 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.
- 2. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

3. 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.
4. 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.
5. 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.
6. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
7. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
8. Within one year after making complete application of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued SEP 08 2020



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

