



# STATE OF OREGON

BENTON COUNTY

## PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 63059 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Hermon Nusbaum of Route 1, Box 377, Monroe, Oregon 97456, phone 424-3344, for the use of the waters of Reese Creek and Nusbaum Farms Reservoir constructed under Permit R-7817, for the PURPOSE of irrigation and supplemental irrigation; that the PRIORITY OF THE RIGHT dates from November 23, 1981, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.39 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 730 feet South and 450 feet West from the Northeast Corner of Section 11, being within the NE 1/4 NE 1/4 of Section 11, Township 14 South, Range 6 West, WM, in the County of Benton.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 14 South	Range 6 West, WM	Section 12	NE 1/4	SE 1/4	<u>Primary</u>
					4.2 acres
			NW 1/4	SE 1/4	26.0 acres
			SW 1/4	SE 1/4	1.9 acres
			NW 1/4	SE 1/4	<u>Supplemental</u>
					2.3 acres

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 1/80 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-7817, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before September 29, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 29th day of September, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION 63059 "CERTIFICATE NO. 61140" PERMIT 46929