



STATE OF OREGON

County of JOSEPHINE

"CERTIFICATE NO. 57686"

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 68090 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 Triangle Three Ranch, Elton and Virginia Berkman of 600 Eight Dollar Mountain Road, Kerby, Oregon 97531, phone 592-3993, for the use of the waters of a spring, unnamed gulch, tributaries of Henderson Creek and reservoir constructed * for the PURPOSE of irrigation of 1.0 acre supplemental irrigation of 11.1 acres, and domestic use for three families including the irrigation of not to exceed one-half acre lawn and noncommercial garden for each, and maintenance of reservoir for fish culture,** that the PRIORITY OF THE RIGHT dates from October 18, 1984 for 0.27 cfs and March 18, 1985 for 0.01 cfs

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.28 cfs

The POINT OF DIVERSION is to be LOCATED: 150 feet South and 450 feet West from the Northeast Corner of the SW 1/4 NE 1/4 of Section 28, being within SW 1/4 NE 1/4 of Section 28; Diversion 2 - 450 feet North and 440 feet West from the Southeast Corner of NW 1/4 SE 1/4 of Section 28, being within the NW 1/4 SE 1/4 of Section 28, both within Township 38 South, Range 8 West, WM, in the County of Josephine.

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

- * under Application R-37741, Permit R-3085, modified by order approving Transfer 5485,
- ** being 0.02 cfs from spring for domestic use, 0.24 cfs from spring for irrigation and supplemental irrigation, 0.02 cfs from unnamed gulch during the non-irrigation season for maintenance of the reservoir for fish culture with any deficiency in the available supply from the gulch allowed under this permit and the order approving Transfer 5485 to be made up by appropriation from the spring at any time of the year.

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Township 38 South, Range 8 West, WM Section 28 SW 1/4 SE 1/4 11.1 acres	Supplemental
NW 1/4 SE 1/4	Domestic use for two families including the irrigation of not to exceed one-half acre lawn and noncommercial garden
SE 1/4 NE 1/4	Domestic use for one family including the irrigation of not to exceed one-half acre lawn and noncommercial garden
NW 1/4 SE 1/4	Maintenance of reservoir for fish culture - gulch is primary natural supply with spring available to make up any deficiency
SE 1/4 SW 1/4 1.0 acre	Primary irrigation

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 1/50 of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, 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 April 25, 1986 , and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1987 .

Complete application of the water to the proposed use shall be made on or before October 1, 1988 .

Witness my hand this 25th day of April , 19 85 .

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.