

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HEMEN-WAY FARMS
80254 SEARS ROAD
COTTAGE GROVE, OREGON 97424

503-942-8244

to use the waters of EFFLUENT FROM ANIMAL WASTE WATER FLUSHING SYSTEM, ANIMAL WASTE RESERVOIR, to be constructed under Application R-69662, Permit R-11189, AND GIDDINGS SLOUGH, a tributary of COAST FORK WILLAMETTE RIVER, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 302.25 ACRES.

This Permit is issued approving Application 69663. The date of priority is NOVEMBER 7, 1989. The use is limited to not more than 3.76 CUBIC FEET PER SECOND, being 3.64 CFS from effluent and reservoir for supplemental irrigation of 292.15 acres and 0.12 CFS from Giddings Slough supplemented by effluent and reservoir for irrigation of 10.10 acres, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 NW 1/4 AND NE 1/4 SW 1/4, SECTION 11, T 20 S, R 3 W, W.M.; EFFLUENT & RESERVOIR - 3250 FEET SOUTH AND 1460 FEET EAST FROM NW CORNER, SECTION 11; SLOUGH - 350 FEET SOUTH AND 1140 FEET WEST FROM SE CORNER, DLC 47.

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 ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated 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.

Provided further that although declared herein, in part, to be for supplemental irrigation, in the interest of proper operation of the flushing system and animal waste reservoir, use of effluent and stored water under this permit may be exercised at times when water is available at the primary source, provided the total quantity diverted from all sources of supply shall not exceed the limitation allowed herein.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

This project was considered and approved by the Water Resources Commission on September 16, 1988.

A description of the proposed place of use under the Permit is as follows:

SUPPLEMENTAL FROM EFFLUENT & RESERVOIR

SW 1/4 SW 1/4	7.50 ACRES
SE 1/4 SW 1/4	1.00 ACRE
SECTION 2	

NE 1/4 NE 1/4	20.20 ACRES
NW 1/4 NE 1/4	0.60 ACRE
SW 1/4 NE 1/4	3.50 ACRES
SE 1/4 NE 1/4	34.80 ACRES
NE 1/4 SE 1/4	2.60 ACRES
SE 1/4 SE 1/4	0.30 ACRE
SECTION 10	

NW 1/4 NE 1/4	0.20 ACRE
SW 1/4 NE 1/4	8.20 ACRES
NE 1/4 NW 1/4	6.30 ACRES
NW 1/4 NW 1/4	38.80 ACRES
SW 1/4 NW 1/4	36.20 ACRES
SE 1/4 NW 1/4	24.80 ACRES
NE 1/4 SW 1/4	30.10 ACRES
NW 1/4 SW 1/4	30.00 ACRES
SW 1/4 SW 1/4	3.20 ACRES
SE 1/4 SW 1/4	3.90 ACRES
NW 1/4 SE 1/4	6.00 ACRES

SECTION 11

NE 1/4 NE 1/4	18.43 ACRES
NW 1/4 NE 1/4	2.59 ACRES
SW 1/4 NE 1/4	2.59 ACRES
SE 1/4 NE 1/4	10.34 ACRES

SECTION 15

TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.

PRIMARY FROM GIDDING SLOUGH SUPPLEMENTED BY EFFLUENT & RESERVOIR

NW 1/4 NE 1/4	1.40 ACRES
SW 1/4 NE 1/4	4.40 ACRES
NE 1/4 NW 1/4	1.90 ACRES
SE 1/4 NW 1/4	2.40 ACRES

SECTION 11

TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.

Actual construction work shall begin on or before DECEMBER 15, 1990, and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992.

When in the judgment of the watermaster, it becomes necessary to measure and keep a record of the amount of water being appropriated, the right allowed herein shall be subject to the installation and maintenance of in-line flow meters, weir, or other suitable devices approved by the Watermaster for measuring the water.

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

Issued this date, DECEMBER 15, 1989.

/s/ WILLIAM H. YOUNG
 Water Resources Department
 William H. Young
 Director