

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CREEK BANK FARM INC.
149 ROLLING RIDGE ROAD
OAKLAND, OREGON 97462

503-459-5909

to use the waters of TWO UNNAMED RESERVOIRS CONSTRUCTED UNDER APPLICATION R-72692, PERMIT R-11479 AND TWO UNNAMED STREAMS, tributaries of CALAPOOYA CREEK, for IRRIGATION OF 177.0 ACRES, LIVESTOCK WATERING, FISH REARING AND DOMESTIC USE EXPANDED FOR ONE FAMILY.

This permit is issued approving Application 72693. The dates of priority are SEPTEMBER 23, 1992 (FOR IRRIGATION, STOCKWATER AND DOMESTIC USE) AND DECEMBER 14, 1992 (FOR FISH REARING). The use is limited to not more than 0.1 CFS FOR IRRIGATION, 0.01 CFS FOR DOMESTIC EXPANDED, 0.005 CFS FOR LIVESTOCK WATERING, 0.005 CFS FOR FISH REARING, AND 7.42 ACRE-FEET STORED WATER PROVIDED THE TOTAL AMOUNT OF WATER TO BE APPROPRIATED FROM ALL SOURCES SHALL NOT EXCEED 0.1 CFS AND 7.42 ACRE-FEET or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NE 1/4, SE 1/4 NE 1/4, SECTION 11, T 25 S, R 6 W, W.M.; DIVERSION POINT 1 - 1920 FEET NORTH AND 1210 FEET WEST, DIVERSION POINT 2 - 1170 FEET NORTH AND 100 FEET WEST, DIVERSION POINT 3 - 460 FEET NORTH AND 10 FEET WEST, ALL FROM THE E 1/4 CORNER OF SECTION 11.

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 of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage. The irrigation season allowed herein shall be at any time water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

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

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

NE 1/4 NE 1/4	2.0 ACRES	- LIVESTOCK - FISH
SE 1/4 NE 1/4	22.0 ACRES	- LIVESTOCK - FISH - DOMESTIC
NE 1/4 SE 1/4	37.0 ACRES	
SE 1/4 SE 1/4	13.0 ACRES	
SECTION 11		
SW 1/4 NW 1/4	33.0 ACRES	
SE 1/4 NW 1/4	3.0 ACRES	
NE 1/4 SW 1/4	5.0 ACRES	
NW 1/4 SW 1/4	42.0 ACRES	- LIVESTOCK - FISH
SW 1/4 SW 1/4	20.0 ACRES	
SECTION 12		
TOWNSHIP 25 SOUTH, RANGE 6 WEST, W.M.		

Actual construction work shall begin on or before March 24, 1995 and shall be completed on or before October 1, 1995. Complete application of the water to the use shall be made on or before October 1, 1996.

Application 72693

Water Resources Department

PERMIT 51512

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

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.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, March 24, 1994.

/s/ Martha O. Pagel

Water Resources Department
Martha O. Pagel
Director