

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CONRAD H. KONING

5705 KINGSWAY

ANACORTES, WASHINGTON 98221

11 PRINCEVILLE LANE

LAS VEGAS, NEVADA 89113

206-293-8805

702-871-6123

to use the waters of RESERVOIRS A, B, C AND D, CONSTRUCTED UNDER APPLICATION R-72623, PERMIT R-11489, a tributary of CROWLEY CREEK, for IRRIGATION OF 78.7 ACRES, LIVESTOCK WATER AND RECREATION.

This permit is issued approving Application 72624. The date of priority is AUGUST 21, 1992. The use is limited to not more than 36.4 ACRE-FEET (AF); BEING 3.95 AF FROM EACH RESERVOIR FOR IRRIGATION, 0.25 AF FROM EACH RESERVOIR FOR STOCK AND 4.9 AF FROM EACH RESERVOIR FOR RECREATION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SW 1/4 NW 1/4, NW 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 6, T 7 S, R 4 W, W.M.; DIVERSION POINT A - 1600 FEET SOUTH AND 1600 FEET WEST, DIVERSION POINT B - 900 FEET SOUTH AND 1600 FEET WEST, DIVERSION POINT C - 400 FEET SOUTH AND 1800 FEET WEST, DIVERSION POINT D - 750 FEET NORTH AND 1900 FEET WEST, ALL FROM THE NE CORNER OF FORMAN DLC 37.

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 2.5 acre-feet for each acre irrigated during the irrigation season of each year. Legally stored water can be used between March 1 through October 31 for irrigation and year round for stock and recreation.

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:

SW 1/4 NW 1/4		RECREATION, LIVESTOCK
NE 1/4 SW 1/4	13.5 ACRES	
NW 1/4 SW 1/4	24.4 ACRES	RECREATION, LIVESTOCK
SW 1/4 SW 1/4	27.2 ACRES	RECREATION, LIVESTOCK
SE 1/4 SW 1/4	1.5 ACRES	
SECTION 6		
TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.		
NE 1/4 SE 1/4	2.8 ACRES	
SE 1/4 SE 1/4	9.3 ACRES	
SECTION 1		
TOWNSHIP 7 SOUTH, RANGE 5 WEST, W.M.		

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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- C. 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.

The permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Actual construction work shall begin on or before May 10, 1995 and shall be completed on or before October 1, 1996. Complete application of the water to the use shall be made on or before October 1, 1997.

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, May 10, 1994.

/s/ A. REED MARBUT

Water Resources Department
Martha O. Pagel
Director

Application 72624
Basin 2

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