

STATE OF OREGON

COUNTY OF LINCOLN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

TIMOTHY A. AND KATHEE M. TARPLEY  
1680 CRESTLINE DRIVE  
WALDPORT, OREGON 97394

503-563-3020

to use the s of TWO UNNAMED STREAMS AND TWO RESERVOIRS CONSTRUCTED UNDER APPLICATION R-73110, PERMIT R-11491, tributaries of PACIFIC OCEAN, for IRRIGATION OF 46.8 ACRES.

This permit is issued approving Application 73111. The date of priority is DECEMBER 29, 1992. The use is limited to not more than 0.62 CUBIC FOOT PER SECOND, 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, NE 1/4 SW 1/4, SECTION 30, T 13 S, R 11 W, W.M.; POD #1 -- 2130 feet NORTH AND 860 FEET WEST, POD #2 -- 1230 FEET NORTH AND 800 FEET WEST, BOTH FROM THE CENTER SOUTH 1/16 CORNER.

The amount of 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. The period of allowed use from direct flow is limited to March 1 through May 31. During the period of June 1 through October 31 the use of water is limited to stored water only.

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:

SE 1/4 NW 1/4 29.4 ACRES  
NE 1/4 SW 1/4 17.4 ACRES  
SECTION 30  
TOWNSHIP 13 SOUTH, RANGE 11 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.
- 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.

Actual construction work shall begin on or before July 29, 1995 and shall be completed on or before October 1, 1996. Complete application of the 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 without waste. The 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 use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of allowed herein may be made only at times when sufficient is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Commission found the proposed use(s) of water described by this permit, as conditioned, would not impair or be detrimental to the public interest at its July 22, 1994 Commission meeting.

Issued this date, July 29, 1994.

/s/ MARTHA O. PAGEL

Water Resources Department  
Martha O. Pagel  
Director