

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CONRAD H. KONING  
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ANACORTES, WASHINGTON 98221  
206-293-8805

11 PRINCEVILLE LANE  
LAS VEGAS, NEVADA 89113  
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to use the waters of RESERVOIRS E, F, G AND H CONSTRUCTED UNDER APPLICATION R-72658, PERMIT R-11498, a tributary of ASH SWALE, for IRRIGATION OF 300.2 ACRES, LIVESTOCK WATER.

This permit is issued approving Application 72659. The date of priority is SEPTEMBER 8, 1992. The use is limited to not more than 218.2 ACRE- FEET (AF), BEING 100 AF EACH FROM RESERVOIRS E AND F, AND 9.1 AF EACH FROM RESERVOIRS G AND H, or its equivalent in case of rotation, measured at the point of diversion from the source.

THE STORAGE ALLOWED IS AS FOLLOWS: FOR IRRIGATION, 90.0 AF EACH IN RESERVOIRS E AND F AND 8.6 AF EACH IN RESERVOIRS G AND H; 1.0 AF EACH FOR STOCK IN E AND F AND 0.2 AF EACH IN G AND H; AND 9.0 AF EACH FOR RECREATION IN E AND F AND 0.3 AF EACH IN G AND H.

Stored water for irrigation can be used between March 1 through October 31, and water legally stored can be use year round for recreational and stock. The use of water to maintain a freshwater condition is not allowed.

The points of diversion are located as follows:

NE 1/4 NE 1/4, NW 1/4 NE 1/4, NE 1/4 SE 1/4, SECTION 31, T 6 S, R 4 W, W.M., SW 1/4 NW 1/4, SECTION 5, T 7 S, R 4 W, W.M.; G - 770 FEET SOUTH AND 130 FEET WEST, H - 490 FEET SOUTH AND 1550 FEET WEST, F - 3260 FEET SOUTH AND 200 FEET WEST, ALL FROM THE NE CORNER OF SECTION 31, E - 1990 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF SECTION 5, T 7 S, R 4 W, W.M.

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 from 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:

NE 1/4 NE 1/4	38.1 ACRES	LIVESTOCK
NW 1/4 NE 1/4	37.2 ACRES	LIVESTOCK
SW 1/4 NE 1/4	22.0 ACRES	
SE 1/4 NE 1/4	34.4 ACRES	
NE 1/4 SE 1/4	21.1 ACRES	LIVESTOCK
NW 1/4 SE 1/4	0.8 ACRE	
SW 1/4 SE 1/4	23.2 ACRES	LIVESTOCK
SE 1/4 SE 1/4	31.3 ACRES	

SECTION 31

TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

NW 1/4 NW 1/4	2.3 ACRES	LIVESTOCK
SW 1/4 NW 1/4	9.9 ACRES	LIVESTOCK

SECTION 5

SEE NEXT PAGE

NE 1/4 NE 1/4	30.6 ACRES	LIVESTOCK
NW 1/4 NE 1/4	35.6 ACRES	LIVESTOCK
SW 1/4 NE 1/4	6.2 ACRES	
SE 1/4 NE 1/4	7.5 ACRES	LIVESTOCK

SECTION 6

TOWNSHIP 7 SOUTH, RANGE 4 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

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 August 12, 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, August 12, 1994.

BC99

/s/ MARTHA O. PAGEL

Water Resources Department  
Martha O. Pagel  
Director