

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BERNARD J. AND RONNI S. LACROUTE  
12832 STAR RIDGE COURT  
SARATOGA, CALIFORNIA 95070

408-741-5879

to use the waters of SIX UNNAMED SPRINGS AND LACROUTE RESERVOIR CONSTRUCTED UNDER PERMIT R-11400, tributaries of STAG HOLLOW CREEK, for SUPPLEMENTAL IRRIGATION OF 163.2 ACRES AND LIVESTOCK WATER.

This permit is issued approving Application 72253. The date of priority is MARCH 11, 1992. The use is limited to not more than 60.0 GALLONS PER MINUTE (GPM), BEING 10 GPM FROM EACH OF FIVE SPRINGS (Springs 1,2,3,5,6) AND 60.0 GPM FROM LACROUTE RESERVOIR, or its equivalent in case of rotation, measured at the points of diversion from the source. 2.0 GPM is allowed from SPRING #5 for livestock watering outside of the spring riparian area. In addition, when SPRING #4 is flowing off the landowner's property, the permit holder may use up to 10.0 gpm for irrigation.

The points of diversion are located as follows:

SW 1/4 SW 1/4, SECTION 25, NE 1/4 SE 1/4, SE 1/4 SE 1/4, SECTION 26, T 2 S, R 4 W, W.M.; SPRING 1 - 1370 FEET NORTH AND 80 FEET EAST, SPRING 2 - 1330 FEET NORTH AND 80 FEET EAST, BOTH FROM THE NW CORNER OF THE SE 1/4 SE 1/4 OF SECTION 26; SPRING 3 - 940 FEET NORTH AND 510 FEET WEST, SPRING 4 - 1800 FEET NORTH AND 200 FEET WEST, SPRING 5 - 1110 FEET NORTH AND 70 FEET EAST, SPRING 6 - 25 FEET NORTH AND 250 FEET WEST, ALL FROM THE SE CORNER OF SECTION 26.

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.

Irrigation from Lacroute Reservoir, constructed under permit R 11400, is allowed April 1 to September 30. Irrigation from five springs (Springs 1,2,3,5,6) is allowed April 1 to July 31. Stockwatering from spring #5 is allowed October 1 to July 31. In addition, when spring #4 is flowing off the landowner's property, the permit holder may use water only during April 1 to September 30.

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

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:

NW 1/4 SW 1/4 0.2 ACRE  
SW 1/4 SW 1/4 22.2 ACRES  
SE 1/4 SW 1/4 7.7 ACRES  
SECTION 25

NE 1/4 SE 1/4 12.6 ACRES  
NW 1/4 SE 1/4 10.5 ACRES  
SW 1/4 SE 1/4 19.6 ACRES  
SE 1/4 SE 1/4 15.3 ACRES  
SECTION 26

SEE NEXT PAGE

NE 1/4 NE 1/4 29.9 ACRES  
 NW 1/4 NE 1/4 2.4 ACRES  
 SE 1/4 NE 1/4 8.5 ACRES

## SECTION 35

NE 1/4 NW 1/4 12.4 ACRES  
 NW 1/4 NW 1/4 14.8 ACRES  
 SW 1/4 NW 1/4 7.1 ACRES

## SECTION 36

TOWNSHIP 2 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.
- 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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.

Actual construction work shall begin on or before JANUARY 13, 1996 and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

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 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, January 13, 1995.

/s/ A. REED MARBUT for

BCφ2

Water Resources Department  
Martha O. Pagel  
Director