

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HANS P ZENTHOEFER
14575 S JORDAN RD
MULINO, OREGON 97042

(503) 827-9615

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-74419

SOURCE OF WATER: AN UNNAMED POND, CONSTRUCTED UNDER PERMIT R-8199,
TRIBUTARY OF MILK CREEK

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 25.5 ACRES

QUANTITY: 3.0 ACRE-FEET STORED WATER ONLY

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31.

DATE OF PRIORITY: AUGUST 16, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 28, T4S, R2E, W.M.;
1050 FEET SOUTH AND 3350 FEET EAST FROM SW CORNER, SECTION 21

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 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 17.7 ACRES
SE 1/4 NW 1/4 7.8 ACRES
SECTION 28
TOWNSHIP 4 SOUTH, RANGE 2 EAST, W.M.

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.

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

STANDARD CONDITIONS

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

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 finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

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Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued April 11, 1996

Martha O. Pagel
for Martha O. Pagel, Director
Water Resources Department