

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOE & BARBARA BREWER  
28305 GOWDYVILLE  
LORANE, OREGON 97451

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

APPLICATION FILE NUMBER: S-72649

SOURCE OF WATER: KELLY CREEK, A TRIBUTARY OF SOUTH FORK SIUSLAW RIVER

PURPOSE OR USE: IRRIGATION OF 20.0 ACRES

RATE OF USE: 0.25 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH JULY 31

DATE OF PRIORITY: SEPTEMBER 2, 1992

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 30, T20S, R4W, W.M.; NORTH 45 DEGREES 21 MINUTES WEST, 1152 FEET FROM THE SE CORNER OF THE SW 1/4 SE 1/4 OF SECTION 30

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.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 SW 1/4 0.5 ACRE  
SW 1/4 SE 1/4 9.0 ACRES  
SECTION 30

NW 1/4 NE 1/4 7.0 ACRES  
NE 1/4 NW 1/4 3.5 ACRES  
SECTION 31

TOWNSHIP 20 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. "M&R CONDITION"

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place and functional, and the fishway must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

**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.

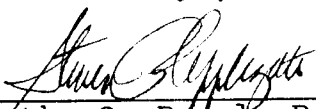
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

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 June 20, 1996

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