

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HUBBARD FARMS, INC.
27511 WEST INGRAM ISLAND RD.
MONROE, OREGON 97456

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

APPLICATION FILE NUMBER: S-72146

SOURCE OF WATER: FERN RIDGE RESERVOIR, A TRIBUTARY OF LONG TOM RIVER

PURPOSE OR USE: IRRIGATION OF 75.0 ACRES

RATE/VOLUME OF USE: 187.5 ACRE FEET FROM STORED WATER ONLY

PERIOD OF ALLOWED USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: JANUARY 15, 1992

POINT OF DIVERSION LOCATIONS: NE 1/4 NE 1/4 & NW 1/4 NE 1/4, SECTION 33, T14S, R5W, W.M.; POD #1 - 50 FEET SOUTH AND 1210 FEET WEST, POD #2 - 740 FEET SOUTH AND 1500 FEET WEST, BOTH FROM THE NE CORNER OF SECTION 33

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 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 NE 1/4 8.5 ACRES
SECTION 33

NW 1/4 NE 1/4 12.6 ACRES
NE 1/4 NW 1/4 26.8 ACRES
NW 1/4 NW 1/4 27.1 ACRES
SECTION 34

TOWNSHIP 14 SOUTH, RANGE 5 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.

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- 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.

The use of water under this permit is subject to the terms and conditions of Water Service Contract No. 2-07-10-W0886 or a satisfactory replacement between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

The permittee shall 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. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

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.

