

STATE OF OREGON

COUNTY OF COOS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MICHAEL D. MURPHY AND EILEEN M. MULLIGAN
47815 FLORAS LAKE LOOP
LANGLOIS, OREGON 97450

(541) 348-2564

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-75032

SOURCE OF WATER: JIM CREEK, TRIBUTARY OF FLORAS CREEK

PURPOSE OR USE: IRRIGATION OF 3.54 ACRES

MAXIMUM RATE ALLOWED: 0.044 CUBIC FOOT PER SECOND (CFS)

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: NOVEMBER 22, 1994

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 10, TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.; 820 FEET SOUTH & 848 FEET WEST FROM NORTH 1/4 CORNER, SECTION 10

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 1.0 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 3.54 ACRES
SECTION 10
TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Measurement recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter or other suitable measuring device(s) as approved by the watermaster must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. The permittee shall keep a complete record of the amount of water used each month. The permittee shall submit a report which includes the recorded water use measurements to the Department at its request. The permittee may be required to report annually or more frequently as may be required by the Director. The permittee

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may be required to report 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.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The required screens must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

Diversion and use of water under this permit must comply with the Clean Water Act and utilize best management practices as identified in the plan developed as specified in the New River Alternative Dispute Resolution Team Agreement on file with the Department.

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.

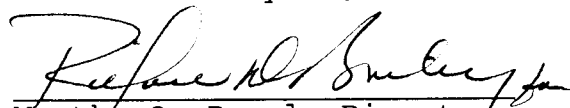
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 1999. Complete application of the water to the use shall be made on or before October 1, 2000.

Issued January 21, 1997



Martha O. Pagel, Director
Water Resources Department

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Basin 17 Volume 3A Floras Creek & Misc.

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District 19