

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WHITE OAK RANCH
10700 AGATE RD
EAGLE POINT, OREGON 97524

(541)826-1920

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

APPLICATION FILE NUMBER: S-77840

SOURCE OF WATER: AN UNNAMED RESERVOIR CONSTRUCTED UNDER APPLICATION R-77839, PERMIT R-12144, A TRIBUTARY OF LITTLE BUTTE CREEK

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 130.0 ACRES

RATE/VOLUME: 6.0 ACRE-FEET OF STORED WATER PER YEAR

PERIOD OF ALLOWED USE: APRIL 1 THROUGH OCTOBER 1 FOR STORED WATER ONLY

DATE OF PRIORITY: FEBRUARY 13, 1995

POINT OF DIVERSION LOCATION: SW 1/4 SE 1/4, SECTION 5, T36S, R1W, W.M.; 650 FEET NORTH AND 470 FEET EAST FROM THE S 1/4 CORNER OF SECTION 5

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4 19.6 ACRES
SW 1/4 SW 1/4 23.2 ACRES
SE 1/4 SW 1/4 30.0 ACRES
NE 1/4 SE 1/4 1.0 ACRE
NW 1/4 SE 1/4 18.0 ACRES
SW 1/4 SE 1/4 6.2 ACRES
SECTION 5
NW 1/4 NE 1/4 2.0 ACRES
NE 1/4 NW 1/4 16.4 ACRES
NW 1/4 NW 1/4 13.6 ACRES
SECTION 8

TOWNSHIP 36 SOUTH, RANGE 1 WEST, 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.

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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.

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.

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 of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

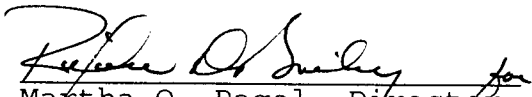
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Actual construction work shall begin on or before October 29, 1997 and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

This permit is issued to correctly describe fish screening, fishway, and outlet conduit requirements. Permit 52913, dated October 29, 1996 is superseded by this instrument and is of no further force or effect.

Issued this date, February 5, 1997


Martha O. Pagel, Director
Water Resources Department

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Basin 15 Volume 2A, Little Butte Creek & Misc

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District 14