

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

EDWARD & MARILYN LIVINGSTON
57250 GERBER RD
BONANZA, OR 97623

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

APPLICATION FILE NUMBER: S-81008

SOURCE OF WATER: SALLY SPRINGS 1 AND 2, WITHIN THE LOST RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 38.51 ACRES

RATE OF ALLOWED USE: 0.16 CUBIC FOOT PER SECOND, BEING 0.09 CFS FROM
SPRING 1 AND 0.07 CFS FROM SPRING 2

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 20, 1992

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 20, T 38 S, R 14 E,
W.M.; SPRING 1 - 128.5 FEET SOUTH & 66.5 FEET EAST; SPRING 2 - 107.5
FEET SOUTH & 60.5 FEET EAST, BOTH FROM C 1/4 CORNER, SECTION 20

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:

NE 1/4 SW 1/4	0.76 ACRE
NW 1/4 SW 1/4	2.77 ACRES
SW 1/4 SW 1/4	25.75 ACRES
SE 1/4 SW 1/4	1.23 ACRES
SE 1/4 SW 1/4	8.00 ACRES

SECTION 20

TOWNSHIP 38 SOUTH, RANGE 14 EAST, 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 allowed herein may be made only at times when waters from the springs would not otherwise flow into a tributary of the Lost River system or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

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. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued May 14, 1997



for Martha O. Pagel, Director
Water Resources Department

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Basin 14
KDD

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District 17