

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARK BROSI
581 WINSTON SECTION RD.
WINSTON, OREGON 97496

PHONE: (541) 679-6355

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

APPLICATION FILE NUMBER: S-81189

SOURCE OF WATER: SOUTH UMPQUA RIVER, A TRIBUTARY OF THE UMPQUA RIVER,
AND BEN IRVING RESERVOIR, CONSTRUCTED UNDER PERMIT R-8444, TRIBUTARY TO
THE SOUTH UMPQUA RIVER

PURPOSE OR USE: IRRIGATION OF 50.0 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 0.625 CUBIC FOOT PER SECOND FROM LIVE FLOW
FROM THE SOUTH UMPQUA RIVER AND 125.0 ACRE-FEET PER YEAR FROM STORED
WATER FROM BEN IRVING RESERVOIR

PERIOD OF USE: MARCH 1 THROUGH JUNE 30 FROM LIVE FLOW AND MARCH 1
THROUGH OCTOBER 31 FROM STORED WATER, OR AS FURTHER LIMITED BY CONTRACT

DATE OF PRIORITY: MAY 31, 1996

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 15, T28S, R6W, W.M.;
1490 FEET NORTH AND 2460 FEET EAST FROM SW CORNER, SECTION 15

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:

SW 1/4 SW 1/4 40.0 ACRES
SE 1/4 SW 1/4 10.0 ACRES
SECTION 15
TOWNSHIP 28 SOUTH, RANGE 6 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.

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 screen is to be in place and functional prior to diversion of any water.

The use of water under this right is subject to the terms and conditions of the contract, or a satisfactory replacement, between Lookingglass-Olalla Water Control District and the applicant, signed May 15, 1996, a copy of which is on file in the records of the Water Resources Department.

The use may be restricted if the quality of the source stream, namely the South Umpqua River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

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.

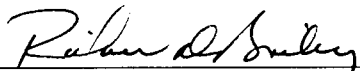
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued October 17, 1997



Martha O. Pagel, Director
Water Resources Department