

STATE OF OREGON

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SAND CREEK RANCH
P.O. BOX 922
CHILOQUIN, OREGON 97624

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

APPLICATION FILE NUMBER: S-70926

SOURCE OF WATER: WILLIAMSON RIVER TRIBUTARY OF UPPER KLAMATH LAKE

PURPOSE OR USE: IRRIGATION FOR RIPARIAN EROSION CONTROL AND
DEVELOPMENT OF NATURAL AND OTHER GRASSES FOR WILDLIFE ENHANCEMENT

MAXIMUM RATE ALLOWED: 1.03 CFS

PERIOD OF USE: APRIL 1 THROUGH JUNE 15

DATE OF PRIORITY: NOVEMBER 15, 1990

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 8, T32S, R11E, W.M.; 1400
FEET NORTH & 2250 FEET EAST FROM SW CORNER, SECTION 8.

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-FORTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4	18.9 ACRES
NE 1/4 SW 1/4	7.20 ACRES
SE 1/4 SW 1/4	15.8 ACRES

SECTION 8
TOWNSHIP 32 SOUTH, RANGE 11 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department 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.
- 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.

The permittee shall install, maintain, and operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place and functional, and the fishway must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish. The applicant is hereby directed to contact a Oregon Department of Fish and Wildlife Fish Passage Coordinator, Portland, Oregon, before beginning construction of any in-channel obstruction.

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.

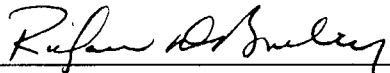
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 November 19, 1997



Water Resources Department
Director