

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HALF MOON BAR LODGE LLC, PAT BALL
P.O. BOX 750
COOS BAY, OREGON 97420

PHONE: (541) 267-2193

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

APPLICATION FILE NUMBER: S-83391

SOURCE OF WATER: ROGUE RIVER BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMITS R-8142, R-7810 AND R-7829, TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: IRRIGATION OF 20.0 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 56.5 AF PER YEAR

PERIOD OF USE: MAY 1 THROUGH OCTOBER 31, OR AS FURTHER RESTRICTED BY CONTRACT WITH THE BUREAU OF RECLAMATION

DATE OF PRIORITY: MAY 14, 1997

POINT OF DIVERSION LOCATION: LOT 3, SE 1/4 NE 1/4, SECTION 25, T33S, R11W, W.M.; 20 FEET NORTH AND 890 FEET WEST FROM NW CORNER, SECTION 19

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

THE PLACE OF USE IS LOCATED AS FOLLOWS:

LOT 4 NW 1/4 NW 1/4 4.0 ACRES
SECTION 19
TOWNSHIP 33 SOUTH, RANGE 10 WEST, W.M.
LOT 3 SE 1/4 NE 1/4 16.0 ACRES
SECTION 25
TOWNSHIP 33 SOUTH, RANGE 11 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.

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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 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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area.

The use of water under this right is subject to the terms and conditions of contract No. 8-07-10-W1201, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

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 including any requirements of the state and federal scenic waterway acts.

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.

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.

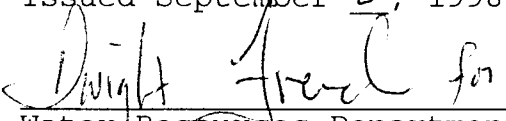
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The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin by September 8, 1999. Complete application of the water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued September 8, 1998


Water Resources Department
Martha Pagel, Director

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Basin 15 Volume 1A ROGUE R MISC
LKS MGMT.CODE

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District 19