

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVID BRIGGS  
92001 N. COBURG RD.  
EUGENE, OREGON 97408

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

APPLICATION FILE NUMBER: S-73587

SOURCE OF WATER: WILLAMETTE BASIN PROJECT RESERVOIRS, TRIBUTARY TO THE MCKENZIE RIVER

PURPOSE OR USE: IRRIGATION OF 51.0 ACRES

RATE/VOLUME OF USE: 63.75 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31, OR AS FURTHER LIMITED BY CONTRACT

DATE OF PRIORITY: AUGUST 19, 1993

POINT OF DIVERSION LOCATION:

MUDDY CREEK POD: SW 1/4 NW 1/4, SECTION 21, T16S, R3W, W.M.;  
925 FEET SOUTH & 2100 FEET EAST FROM NW  
CORNER, H.A. DAVIS DLC 41

MCKENZIE RIVER POD: NE 1/4 NE 1/4, SECTION 9, T17S, R3W, W.M.;  
4440 FEET SOUTH AND 5250 FEET EAST FROM SE  
CORNER, MANSFIELD DLC 79

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 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 SE 1/4 25.5 ACRES  
SECTION 20  
NW 1/4 SW 1/4 25.5 ACRES  
SECTION 21  
TOWNSHIP 16 SOUTH, RANGE 3 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 use of water under this permit is subject to the terms and conditions of Water Service Contract No. 9-07-10-W1235 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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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 water to the use shall be made on or before October 1, 2003. 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 April 2, 1999



Martha O. Pagel, Director  
Water Resources Department

Application S-73587  
Basin 02  
LKS

Water Resources Department  
Volume 4 Muddy Creek & Misc.  
MGMT.CODE 1B 1BF 1BW 3BW

PERMIT 53548  
District 02