

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KNAPP RANCHES INC.
JEFF KNAPP
PO BOX 32
PORT ORFORD, OREGON 97465

(541) 332-3755

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

APPLICATION FILE NUMBER: S-84101

SOURCE OF WATER: A RESERVOIR CONSTRUCTED UNDER APPLICATION R-84100, A
TRIBUTARY OF ELK RIVER

PURPOSE OR USE: IRRIGATION OF 189.5 ACRES AND MINING

MAXIMUM VOLUME ALLOWED: 100 ACRE-FEET PER YEAR OF STORED WATER ONLY,
BEING 60.0 AF FOR IRRIGATION AND 40.0 AF FOR MINING

PERIOD OF USE: MAY 1 THROUGH OCTOBER 15 FOR IRRIGATION AND YEAR ROUND
FOR MINING

DATE OF PRIORITY: MARCH 24, 1999

POINT OF DIVERSION LOCATION: SW 1/4 SW 1/4, SECTION 20, T32S, R15W,
W.M.; 314 FEET NORTH & 496 FEET EAST FROM SW 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 2.5 acre-feet for each acre
irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NE 1/4 1.2 ACRES
NE 1/4 SE 1/4 38.8 ACRES
SE 1/4 SE 1/4 37.0 ACRES
SECTION 19

SE 1/4 NW 1/4 9.2 ACRES
NE 1/4 SW 1/4 25.6 ACRES
NW 1/4 SW 1/4 36.2 ACRES

SW 1/4 SW 1/4 11.4 ACRES
 SE 1/4 SW 1/4 3.1 ACRES
 SECTION 20

NE 1/4 NE 1/4 14.5 ACRES
 SE 1/4 NE 1/4 12.5 ACRES
 SECTION 30

TOWNSHIP 32 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained as identified in OAR 690-507-645. 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 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.

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 by December 15, 2000. Complete application of the water to the use shall be made on or before October 1, 2004. 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 January 31, 2000


Martha Q. Pagel, Director
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.