

STATE OF OREGON

COUNTY OF UNION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

OREGON TRAIL MOUNTAIN SPRING WATER
KEN HOLMAN
51471 OREGON TRAIL RD.
NORTH POWDER, OREGON 97867

PHONE: (541) 898-2900

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

APPLICATION FILE NUMBER: S-83943

SOURCE OF WATER: PARKER SPRING, A TRIBUTARY TO WOLF CREEK

PURPOSE OR USE: INDUSTRIAL USE

MAXIMUM RATE/VOLUME ALLOWED: 0.223 CUBIC FOOT PER SECOND

PERIOD OF USE: NOVEMBER 1 THROUGH NOVEMBER 30 AND JANUARY 1 THROUGH THE MONTH OF FEBRUARY OF EACH YEAR

DATE OF PRIORITY: SEPTEMBER 23, 1998

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 16, T6S, R39E, W.M.;
364 FEET SOUTH AND 487 FEET WEST FROM NE CORNER, SECTION 16

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4
SECTION 16
TOWNSHIP 6 SOUTH, RANGE 39 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.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or

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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.

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 by May 9, 2001. 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 August 15, 2000


Paul R. Cleary, 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.

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