

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RAINBOW ROCK SERVICE ASSOC.
FRANK S BUEHLER
17744 HWY 101 N 100
BROOKINGS, OREGON 97415

(503)823-7754

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

APPLICATION FILE NUMBER: S-84241

SOURCE OF WATER: A RESERVOIR, FILED UNDER APPLICATION R-80754, PERMIT R-11933, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: GROUP DOMESTIC FOR 60 HOUSEHOLDS INCLUDING THE IRRIGATION OF LAWN OR NONCOMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE IN AREA FOR EACH CONDOMINIUM

MAXIMUM VOLUME ALLOWED: 0.41 AF PER YEAR

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 17, 1999

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4 (LOT 3), SECTION 26, T40S, R14W, W.M.; 150 FT SOUTH & 380 FT EAST FROM N 1/16TH CORNER SECTION 26

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4
SECTION 26
TOWNSHIP 40 SOUTH, RANGE 14 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless

special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. 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.

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.

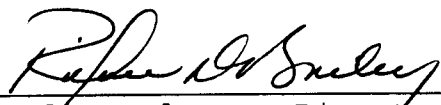
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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 February 28, 2002. Complete application of the water to the use shall be made on or before October

1, 2005. 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 19, 2001



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.