

COUNTY OF KLAMATH

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN HINTZE
9089 HILL RD.
KLAMATH FALLS, OREGON 97603

PHONE: (541) 883-7003

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

APPLICATION FILE NUMBER: S-72744

SOURCE OF WATER: NUSS LAKE, A TRIBUTARY OF LOST RIVER

PURPOSE OR USE: IRRIGATION OF 20.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 57.5 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 0.978 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: OCTOBER 2, 1992

POINT OF DIVERSION LOCATION: SE 1/4 NW 1/4, SECTION 27, T39S, R10E, W.M.; 1730 FEET SOUTH & 550 FEET WEST FROM N1/4 CORNER, SECTION 27

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 ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 NW 1/4	2.4 ACRES	29.7 ACRES
SW 1/4 NW 1/4	14.5 ACRES	5.7 ACRES
NW 1/4 SW 1/4	2.4 ACRES	
SECTION 27		

NE 1/4 NE 1/4		10.2 ACRES
SE 1/4 NE 1/4	1.5 ACRES	10.8 ACRES
NE 1/4 SE 1/4		1.1 ACRES

SECTION 28
TOWNSHIP 39 SOUTH, RANGE 10 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 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.

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

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.

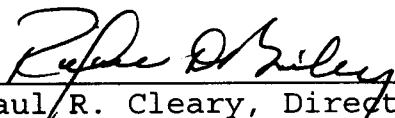
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 April , 2001. 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 27 , 2001



Paul R. Cleary, Director
Water Resources Department