

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WEBSTER BRIGGS
4422 GAZLEY ROAD
MYRTLE CREEK, OREGON 97457

(541) 839-4698

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

APPLICATION FILE NUMBER: S-84387

SOURCE OF WATER: SOUTH UMPQUA RIVER AND GALESVILLE RESERVOIR,
CONSTRUCTED UNDER PERMIT R-9964, TRIBUTARIES OF UMPQUA RIVER

PURPOSE OR USE: IRRIGATION OF 6.5 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 0.081 CFS AND 14.5 ACRE-FEET OF STORED
WATER ONLY

PERIOD OF USE: MARCH 1 THROUGH JUNE 30 FROM THE SOUTH UMPQUA RIVER,
AND MARCH 1 THROUGH OCTOBER 31 FROM STORED WATER ONLY

DATE OF PRIORITY: MARCH 23, 2000

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 32, T29S, R5W,
W.M.; 1210 FEET SOUTH & 760 FEET WEST FROM E1/4 CORNER, SECTION 32

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:

NE 1/4 SE 1/4 6.0 ACRES
NW 1/4 SE 1/4 0.5 ACRES
SECTION 32
TOWNSHIP 29 SOUTH, RANGE 5 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 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.

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream

No overland flows of water to the South Umpqua River shall result from use of water authorized under this permit.

The use of water under this right is subject to the terms and conditions of contract No. 1-99-4, or a satisfactory replacement, between the Douglas County and the applicant, a copy of which is on file in the records of the Water Resources Department.

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.

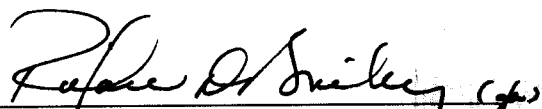
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

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 June 25, 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.