

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WESTERN SUN LANDSCAPING
PO BOX 80283
PORTLAND, OR 97280

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

APPLICATION FILE NUMBER: S-86149

SOURCE OF WATER: ALZNER RESERVOIR, CONSTRUCTED UNDER PERMIT R-14197, A
TRIBUTARY OF DEER CREEK

PURPOSE OR USE: IRRIGATION USE ON 4.0 ACRES

MAXIMUM VOLUME: 8.5 ACRE FEET EACH YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 12, 2005

POINT OF DIVERSION LOCATION: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 11, T4S, R1W, W.M.; 1000
FEET NORTH & 1050 FEET WEST FROM S1/4 CORNER, SECTION 11

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 and
2.5 acre-feet for each acre irrigated during the irrigation season of
each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.7 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.3 ACRES
SECTION 11

TOWNSHIP 4 SOUTH, RANGE 1 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

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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

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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.

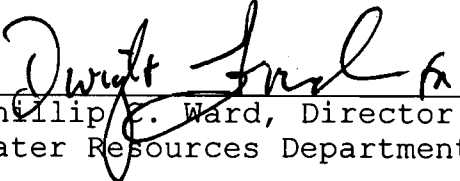
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

Complete application of the water to the use shall be made on or before October 1, 2010. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 October 13, 2005


Phillip C. Ward, Director
Water Resources Department

