

STATE OF OREGON

COUNTY OF CURRY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DARYL ROBISON
95002 SIXES RIVER RD
SIXES, OR 97476

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

APPLICATION FILE NUMBER: S-86412

SOURCE OF WATER: RESERVOIR 3 AND RESERVOIR 4, CONSTRUCTED UNDER PERMIT R-11511, TRIBUTARIES OF CRYSTAL CREEK

PURPOSE OR USE: CRANBERRY OPERATIONS ON 2.5 ACRES

MAXIMUM VOLUME: 7.5 ACRE FEET (AF) EACH YEAR, BEING 3.75 AF FROM RESERVOIR 3 AND 3.75 AF FROM RESERVOIR 4

PERIOD OF USE: MARCH 1 THROUGH NOVEMBER 30

DATE OF PRIORITY: SEPTEMBER 6, 2005

POINT OF DIVERSION LOCATIONS:

RESERVOIR 3 - NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 33, T31S, R15W, W.M.; 1530 FEET NORTH & 2285 FEET WEST FROM SE CORNER, SECTION 33

RESERVOIR 4 - NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 33, T31S, R15W, W.M.; 1610 FEET NORTH & 3025 FEET WEST FROM SE CORNER, SECTION 33

The amount of water diverted for cranberry operations, together with amounts secured under any other rights existing for the same lands shall not exceed a maximum of 3.0 acre feet per acre, and is further limited as follows for temperature control, 0.15 cubic foot per second per acre; for flood harvesting or pest control, 0.05 cubic foot per second per acre; for irrigation of cranberries, one fortieth of one cubic foot per second and 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year. For irrigation of any other crop, the amount of water diverted is limited to one eightieth of one cubic foot per second and 2.5 acre feet per acre during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ SW ¼ 2.5 ACRES
SECTION 33
TOWNSHIP 31 SOUTH, RANGE 15 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter. The totalizing flow meter must be installed and maintained in good working order consistent with those standards identified in OAR 690-507-645(1) through (3). The permittee shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter; provided however, where the meter is located within a private structure, the watermaster shall request access upon reasonable notice.

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.

Completion of construction and 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 April 27, 2006

E. Timothy Wall

Phillip C. Ward, Director *for*
Water Resources Department

