

STATE OF OREGON
 COUNTY OF LINN
 PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

MT. JEFFERSON FARMS, INC.
 PO BOX 12708
 SALEM OR 97309

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

APPLICATION FILE NUMBER: S-86675

SOURCE OF WATER: DETROIT RESERVOIR, PERMIT R-1625

PURPOSE OR USE: IRRIGATION of 147.3 ACRES

MAXIMUM VOLUME: 368.25 ACRE FEET

DATE OF PRIORITY: SEPTEMBER 6, 2006

Use	Period
Irrigation	March 1 - October 31

Authorized Point of Re-Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
9 S	2 W	WM	35	NW SE	850 FEET NORTH AND 400 FEET WEST FROM WESTERLY NW CORNER, DLC 61

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
10 S	2 W	WM	11	NE NW			6.0
10 S	2 W	WM	11	SW NW	2	54	2.9
10 S	2 W	WM	11	SE NW	2	54	36.8
10 S	2 W	WM	11	NE SW			40.0
10 S	2 W	WM	11	NW SW			5.4
10 S	2 W	WM	11	SW SE			18.5
10 S	2 W	WM	14	NW NE			35.5
10 S	2 W	WM	14	SW NE			2.2

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 use of water under this right is subject to the terms and conditions of Contract 079E101611, between the Bureau of Reclamation and the water user, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Department.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the meter(s) in good working order. 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.

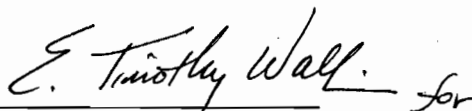
- B. The permittee shall allow the watermaster access to the meter(s); provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.

The water user shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of water. The water user may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. Complete application of the water to the use shall be made on or before October 1, 2011. If the water is not completely applied before this date, and the water user wishes to continue development under the permit, the water user must submit an application for extension of time, which may be approved based upon the merit of the application.
7. Within one year after complete application of water to the proposed use, the water user shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued JANUARY 10, 2008

 *for*

Phillip C. Ward, Director
Water Resources Department