

STATE OF OREGON

COUNTY OF LAKE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAN AND NINA MICKE
87754 HWY 140 W
LAKEVIEW, OR 97630

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

APPLICATION FILE NUMBER: S-86000

SOURCE OF WATER: A RESERVOIR, CONSTRUCTED UNDER PERMIT R-14673, A
TRIBUTARY OF FISH CREEK

PURPOSE OR USE: PRIMARY IRRIGATION USE ON 1.05 ACRES AND SUPPLEMENTAL
IRRIGATION USE ON 104.15 ACRES

MAXIMUM VOLUME: 75.0 ACRE FEET EACH YEAR

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30

DATE OF PRIORITY: MAY 7, 2004

POINT OF DIVERSION LOCATION:

SE ¼ SW ¼, SECTION 7, T39S, R18E, W.M.; 100 FEET NORTH AND 2500
FEET EAST FROM THE SW CORNER, SECTION 7

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
3.0 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>
NE ¼ NW ¼		22.4 ACRES
NW ¼ NW ¼	1.05 ACRES	38.95 ACRES
SW ¼ NW ¼		38.8 ACRES
SE ¼ NW ¼		4.0 ACRES

SECTION 18
TOWNSHIP 39 SOUTH, RANGE 18 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 and shall keep a complete record of the amount of water stored each month, and shall submit a report which includes the recorded 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 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.

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, 2013. 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).

This permit is issued to correctly describe the use of water for primary irrigation on 1.05 acres and supplemental irrigation on 104.15 acres. Permit S-54509 is superseded by this instrument and is of no further force or effect.

Issued January 15, 2009



Phillip C. Ward, Director
Water Resources Department