

STATE OF OREGON

COUNTY OF TILLAMOOK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PATRICK ZWEIFEL  
9455 KILCHIS RIVER RD  
TILLAMOOK, OR 97141

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

APPLICATION FILE NUMBER: S-86710

SOURCE OF WATER: KILCHIS RIVER, A TRIBUTARY OF TILLAMOOK BAY; KILCHIS RESERVOIR, CONSTRUCTED UNDER PERMIT R-14445, A TRIBUTARY OF KILCHIS RIVER

PURPOSE OR USE: IRRIGATION USE ON 50.0 ACRES, AGRICULTURAL USE, AND POND MAINTENANCE

MAXIMUM RATE AND VOLUME: 0.248 CUBIC FOOT PER SECOND (CFS), BEING 0.156 CFS FOR IRRIGATION AND AGRICULTURE USE AND 0.092 CFS FOR POND MAINTENANCE; 9.19 ACRE FEET (AF) FOR IRRIGATION AND AGRICULTURE USE

PERIODS OF USE:

IRRIGATION FROM KILCHIS RIVER - MARCH 1 THROUGH APRIL 30  
IRRIGATION FROM KILCHIS RESERVOIR - MAY 1 THROUGH OCTOBER 31  
AGRICULTURAL USE FROM KILCHIS RIVER - DECEMBER 1 THROUGH FEBRUARY 28/29  
AGRICULTURAL USE FROM KILCHIS RESERVOIR - NOVEMBER 1 THROUGH NOVEMBER 30  
POND MAINTENANCE - DECEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: OCTOBER 24, 2006

POINT OF DIVERSION LOCATIONS:

KILCHIS RIVER - SW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 32, T1N, R9W, W.M.; 800 FEET NORTH AND 1700 FEET WEST FROM S1/4 CORNER, SECTION 32

KILCHIS RESERVOIR - SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SECTION 32, T1N, R9W, W.M.; 1030 FEET NORTH AND 1100 FEET WEST FROM S1/4 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 and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE ¼ SE ¼ 20.0 ACRES IRRIGATION  
SECTION 31

SW ¼ SW ¼ 23.8 ACRES IRRIGATION  
SE ¼ SW ¼ 6.2 ACRES IRRIGATION, AGRICULTURE USE, & POND MAINTENANCE  
SECTION 32  
TOWNSHIP 1 NORTH, RANGE 9 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 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 electronically the water-use on a monthly basis to the Department indicating the amount of water diverted to storage, storage maintenance, and primary irrigation/agricultural use. 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.

#### STANDARD CONDITIONS

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.

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.

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.

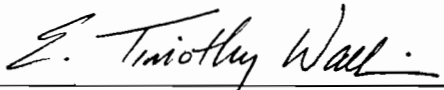
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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, 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).

Issued March 5, 2009



for Phillip C. Ward, Director  
Water Resources Department