

STATE OF OREGON

COUNTY OF UNION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

PERMIT IS HEREBY ISSUED TO:

CONLEY FARMS
 ATTN: DEE WAYNE JOHNSON
 61050 CONLEY RD
 COVE, OR 97824

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

APPLICATION FILE NUMBER: S-86834

SOURCE OF WATER: A RESERVOIR CONSTRUCTED UNDER PERMIT R-14464, TRIBUTARY TO CATHERINE CREEK

PURPOSE OR USE: IRRIGATION on 317.0 ACRES

MAXIMUM VOLUME: 191.27 ACRE FEET

DATE OF PRIORITY: APRIL 20, 2007

WATER MAY BE APPROPRIATED DURING THE PERIOD: MARCH 1 THROUGH OCTOBER 31

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	39 E	WM	12	SE SE	193 FEET NORTH AND 666 FEET WEST FROM SE CORNER, SECTION 12

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	39 E	WM	12	NE NE	27.0
3 S	39 E	WM	12	NW NE	16.0
3 S	39 E	WM	12	SW NE	38.5
3 S	39 E	WM	12	SE NE	40.0
3 S	39 E	WM	12	NE SE	30.0
3 S	39 E	WM	12	NW SE	15.5
3 S	39 E	WM	13	NE NE	32.0
3 S	39 E	WM	13	NW NE	15.0
3 S	39 E	WM	13	SW NE	16.0
3 S	39 E	WM	13	SE NE	38.0
3 S	40 E	WM	7	NW NW	5.3
3 S	40 E	WM	7	SW NW	21.0
3 S	40 E	WM	7	NW SW	6.7
3 S	40 E	WM	18	NW NW	8.0
3 S	40 E	WM	18	SW NW	8.0

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, 2013. 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 July 2, 2009

E. Timothy Ward

For Phillip C. Ward, Director
Water Resources Department