

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CFRI-HWKD ZENA EAST LLC
15 OLD DANBURY ROAD
WILTON, CT 06897

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

APPLICATION FILE NUMBER: S-86175

SOURCE OF WATER: ZENA HEIGHTS RESERVOIR #1, CONSTRUCTED UNDER PERMIT R-5384, TO BE ENLARGED UNDER APPLICATION R-86140, ZENA HEIGHTS RESERVOIR #2, CONSTRUCTED UNDER PERMIT R-14144, ZENA HEIGHTS RESERVOIR #4, CONSTRUCTED UNDER PERMIT R-14145, ZENA HEIGHTS RESERVOIR #5, CONSTRUCTED UNDER PERMIT R-14146, AND ZENA HEIGHTS RESERVOIR #6, CONSTRUCTED UNDER PERMIT R-14147, TRIBUTARIES OF SPRING VALLEY CREEK

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 55.0 ACRES

MAXIMUM VOLUME: 39.0 ACRE FEET EACH YEAR (AF); BEING 17.0 AF FROM ZENA HEIGHTS RESERVOIR #1; 9.0 AF FROM ZENA HEIGHTS RESERVOIR #2; 10.0 AF FROM ZENA HEIGHTS RESERVOIR #4; 2.0 AF FROM ZENA HEIGHTS RESERVOIR #5; AND 1.0 AF FROM ZENA HEIGHTS RESERVOIR #6

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 14, 2005

POINTS OF DIVERSION LOCATIONS:

ZENA HEIGHTS RESERVOIR #1: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 23, T6S, R4W, W.M.;
1390 FEET NORTH & 350 FEET EAST FROM SW CORNER, SECTION 23

ZENA HEIGHTS RESERVOIR #2: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 23, T6S, R4W, W.M.;
510 FEET NORTH & 790 FEET EAST FROM SW CORNER, SECTION 23

ZENA HEIGHTS RESERVOIR #4: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 23, T6S, R4W, W.M.;
1260 FEET NORTH & 560 FEET EAST FROM SW CORNER, SECTION 23

ZENA HEIGHTS RESERVOIR #5: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 23, T6S, R4W, W.M.;
920 FEET NORTH & 2530 FEET EAST FROM SW CORNER, SECTION 23

ZENA HEIGHTS RESERVOIR #6: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 23, T6S, R4W, W.M.;
1920 FEET NORTH & 2260 FEET EAST FROM SW CORNER, SECTION 23

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:

SW ¼ SE ¼ 6.0 ACRES
SE ¼ SE ¼ 34.0 ACRES
NE ¼ SE ¼ 15.0 ACRES
SECTION 23
TOWNSHIP 6 SOUTH, RANGE 4 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 or other suitable measuring device as approved by the Director at each point of diversion. The permittee shall maintain the meter or measuring device in good working order.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water diverted, and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

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.

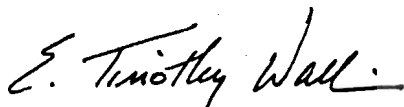
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued **November 27, 2012**



E. Timothy Wallin
E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director
Water Resources Department