

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

PETER DINSDALE
BLUE HERON FARM
PO BOX 357
INDEPENDENCE, OR 97351

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

APPLICATION FILE NUMBER: S-87794

SOURCE OF WATER: ALAN WEST RESERVOIR AND BEN RESERVOIR, TO BE
CONSTRUCTED UNDER PERMIT R-14988, TRIBUTARIES OF SOUTH FORK ASH CREEK

PURPOSE OR USE: IRRIGATION OF 138.0 ACRES

MAXIMUM VOLUME: 145.0 ACRE FEET (AF) EACH YEAR, BEING 80.0 AF FROM ALAN
WEST RESERVOIR AND 65.0 AF FROM BEN RESERVOIR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: APRIL 5, 2012

POINT OF DIVERSION LOCATIONS:

ALAN WEST RESERVOIR: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 31, T8S, R4W, W.M.; 900
FEET WEST FROM C1/4 CORNER, SECTION 31

BEN RESERVOIR: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 31, T8S, R4W, W.M.; 670 FEET
NORTH AND 1330 FEET EAST FROM C1/4 CORNER, SECTION 31

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 $\frac{1}{4}$ NE $\frac{1}{4}$ 29.5 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 18.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 34.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.5 ACRES
SECTION 31

TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.

Application S-87794 Water Resources Department

PERMIT S-54779

to such rotation plan, the watermaster shall distribute the water according to such agreement.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet state or federal water quality standards due to reduced flows.

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 October 11, 2012



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