

STATE OF OREGON

COUNTY OF JOSEPHINE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JASON COLE
ELIZABETH CLEARY-COLE
1050 HUMBUG CREEK RD
JACKSONVILLE, OR 97530

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

APPLICATION FILE NUMBER: S-85788

SOURCE OF WATER: A RESERVOIR, CONSTRUCTED UNDER APPLICATION R-85789,
PERMIT R-14081, A TRIBUTARY OF POWELL CREEK

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 15.0 ACRES

MAXIMUM VOLUME: 3.0 ACRE FEET EACH YEAR

PERIOD OF USE: APRIL 1 THROUGH NOVEMBER 1

DATE OF PRIORITY: SEPTEMBER 4, 2003

POINT OF DIVERSION LOCATION: NE ¼ SW ¼, SECTION 15, T38S, R5W, W.M.; 600
FEET SOUTH & 800 FEET WEST FROM C1/4 CORNER, SECTION 15

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 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE ¼ SW ¼ 15.0 ACRES
SECTION 15
TOWNSHIP 38 SOUTH, RANGE 5 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point. The totalizing flow meter must be installed and maintained consistent with those standards identified in OAR 690-507-645(1) through (3). The water user shall maintain the meter in good working order, 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 water user to report general water use information, including the place and nature of use of water under the permit.

- B. The water user shall allow the watermaster access to the meter; provided however, where the meter 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, 2009. 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.

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 *MARCH 30 2016*

E. Timothy Wallin

E. Timothy Wallin, Water Rights Program Manager
for Thomas M. Byler, Director