

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

HAMILTON B FARMS, A PARTNERSHIP  
HAMILTON FARMS LLC  
HAMILTON M FARMS, A PARTNERSHIP  
HAMILTON S FARMS, A PARTNERSHIP  
C/O STEVE HAMILTON, MANAGER  
HAMILTON FARMS, LLC, PARTNER  
14190 AIRLIE RD  
MONMOUTH OR 97361

STEVEN HAMILTON  
BEVERLY HAMILTON  
14200 AIRLIE RD  
MONMOUTH OR 97361

MATTHEW HAMILTON  
ESTHER HAMILTON  
14080 AIRLIE RD  
MONMOUTH OR 97361

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

APPLICATION FILE NUMBER: S-88482

SOURCE OF WATER: RESERVOIR 1 AND RESERVOIR 3, CONSTRUCTED UNDER PERMIT R-5616; RESERVOIR 4, CONSTRUCTED UNDER PERMIT 5617; RESERVOIR 5 AND RESERVOIR 7, CONSTRUCTED UNDER PERMIT R-75387; AND RESERVOIR 8, CONSTRUCTED UNDER PERMIT R-15211

PURPOSE AND PERIOD OF USE:

AGRICULTURE USES, JANUARY 1 THROUGH DECEMBER 31

IRRIGATION ON 709.2 ACRES, MARCH 1 THROUGH OCTOBER 31

NURSERY USE OF 709.2 ACRES, JANUARY 1 THROUGH DECEMBER 31

MAXIMUM VOLUME: 103.8 ACRE-FEET (AF); BEING 6.0 AF FROM RESERVOIR 1, 1.8 AF FROM RESERVOIR 3, 3.0 AF FROM RESERVOIR 4, 1.0 AF FROM RESERVOIR 5, 2.0 AF FROM RESERVOIR 7, AND 90.0 AF FROM RESERVOIR 8

DATE OF PRIORITY: DECEMBER 14, 2017

**Authorized Point of Diversion:**

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
RESERVOIR 1	9 S	5 W	WM	32	SE NE	1155 FEET SOUTH AND 870 FEET WEST FROM NORTHERLY CORNER, STAATS DLC 66
RESERVOIR 3	9 S	5 W	WM	32	NE SE	1350 FEET NORTH AND 220 FEET WEST FROM SE CORNER, SECTION 32
RESERVOIR 4	9 S	5 W	WM	28	NW SW	2795 FEET NORTH AND 720 FEET EAST FROM NORTHERLY CORNER, STAATS DLC 66
RESERVOIR 5	9 S	5 W	WM	32	SW NE	720 FEET SOUTH AND 1900 FEET WEST FROM NORTHERLY CORNER, STAATS DLC 66

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
RESERVOIR 7	9 S	5 W	WM	32	SE SE	150 FEET NORTH AND 310 FEET WEST FROM SE CORNER, SECTION 32
RESERVOIR 8	9 S	5 W	WM	32	NE NE	270 FEET SOUTH AND 20 FEET WEST FROM NORTHERLY CORNER, STAATS DLC 66

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 2.5 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
9 S	5 W	WM	28	SW NW	3.1
9 S	5 W	WM	28	NW SW	38.4
9 S	5 W	WM	28	SW SW	38.5
9 S	5 W	WM	28	SE SW	18.7
9 S	5 W	WM	29	SE NE	2.6
9 S	5 W	WM	29	NE SE	11.4
9 S	5 W	WM	29	SW SE	3.9
9 S	5 W	WM	29	SE SE	16.1
9 S	5 W	WM	32	NE NE	34.9
9 S	5 W	WM	32	NW NE	34.7
9 S	5 W	WM	32	SW NE	23.5
9 S	5 W	WM	32	SE NE	39.2
9 S	5 W	WM	32	NE NW	1.5
9 S	5 W	WM	32	SE NW	1.9
9 S	5 W	WM	32	NE SW	0.7
9 S	5 W	WM	32	NE SE	38.1
9 S	5 W	WM	32	NW SE	32.3
9 S	5 W	WM	32	SW SE	0.9
9 S	5 W	WM	32	SE SE	32.4
9 S	5 W	WM	33	NE NW	40.0
9 S	5 W	WM	33	NW NW	39.1
9 S	5 W	WM	33	SW NW	40.0
9 S	5 W	WM	33	SE NW	40.1
9 S	5 W	WM	33	NE SW	34.8
9 S	5 W	WM	33	NW SW	40.0
9 S	5 W	WM	33	SW SW	32.6
9 S	5 W	WM	33	SE SW	19.9
9 S	5 W	WM	33	NW SE	4.2
9 S	5 W	WM	33	SW SE	1.2
10 S	5 W	WM	4	NW NE	7.4
10 S	5 W	WM	4	NE NW	24.1
10 S	5 W	WM	4	NW NW	8.8
10 S	5 W	WM	4	SE NW	0.3
10 S	5 W	WM	5	NE NE	3.9

The water user shall install, maintain, and operate fish screening and fish passage devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion, while passage devices provide adequate upstream and downstream passage for fish. The required screen and passage 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 passage devices are not necessary.

### 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.

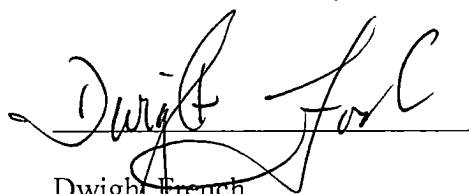
If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and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

Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.

Complete 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     MAY    17    , 2018.

A handwritten signature in cursive script, reading "Dwight French", written over a horizontal line.

Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department