

STATE OF OREGON

COUNTY OF DOUGLAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARK BENNETT
KELLY BENNETT
8382 LOOKINGGLASS RD
ROSEBURG OR 97471

This permit expires on October 31, 2021, or when the Governor’s May 10, 2021 declaration of drought emergency for Douglas County is terminated, whichever comes first.

The permittee assumes all liability associated with use of water under the permit in the event claims of injury or claims for compensation are filed.

If injury to existing rights or detriment to the public interest is observed, the Department may regulate water use under this permit to mitigate such injury or detriment, or cancel this permit if mitigation is not possible.

Use of water is subject to prior water right permits, certificates and scenic waterway flows.

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

APPLICATION FILE NUMBER: S-89158

SOURCE OF WATER: BEN IRVING RESERVOIR, CONSTRUCTED UNDER PERMIT R-8444

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 117.0 ACRES

MAXIMUM RATE: 125.0 ACRE-FEET

PERIOD OF USE: PERMIT ISSUANCE THROUGH OCTOBER 31

DATE OF PRIORITY: AUGUST 16, 2021

AUTHORIZED POINT OF DIVERSION:

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
REDIVERSION POINT	28 S	7 W	WM	1	NW SW	2720 FEET SOUTH AND 180 FEET EAST FROM NW CORNER, SECTION 1

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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
28 S	7 W	WM	1	NE NE	1.00
28 S	7 W	WM	1	NW NE	5.80
28 S	7 W	WM	1	SW NE	32.00
28 S	7 W	WM	1	SE NE	8.00
28 S	7 W	WM	1	NE NW	23.00
28 S	7 W	WM	1	NW NW	10.00
28 S	7 W	WM	1	SW NW	16.00
28 S	7 W	WM	1	SE NW	21.20

1. Water Use 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 appropriation. The permittee shall maintain the meter in good working order.
- B. 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 by **December 1, 2021**. 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.
- C. The permittee shall allow the watermaster access to the meter; provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. The use of water under this right is subject to the terms and conditions of contract No. I-2021-12, or a satisfactory replacement, between Douglas County and the permittee, a copy of which must be on file in the records of the Water Resources Department.

STANDARD CONDITIONS

1. 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.

2. 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.
3. 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.
4. 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.

Issued **AUG 20 2021**



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

Issuance of this permit does not confirm the validity of any underlying right or claim.

