

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVID SETNIKER
P.O. BOX 338
INDEPENDENCE, OREGON 97351

PHONE: (503) 838-4302

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

APPLICATION FILE NUMBER: G-14278

SOURCE OF WATER: EIGHT WELLS, IN THE WILLAMETTE RIVER BASIN, MITIGATED BY STORED WATER FROM WILLAMETTE BASIN PROJECT RESERVOIRS

PURPOSE OR USE: IRRIGATION OF 6.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 474.1 ACRES

MAXIMUM RATE: 6.0 CUBIC FEET PER SECOND, MITIGATED BY 565.4 ACRE-Feet FROM STORED WATER ONLY

PERIOD OF USE: GROUNDWATER: MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31; STORED WATER: MARCH 1 THROUGH OCTOBER 31, OR AS FURTHER LIMITED BY CONTRACT

DATE OF PRIORITY: MARCH 25, 1996

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 16, NE 1/4 NW 1/4, SECTION 21; SW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 15; NW 1/4 NE 1/4, NE 1/4 NE 1/4, NE 1/4 NW 1/4, SECTION 22; NW 1/4 SE 1/4, SECTION 15; T8S, R4W, W.M.; WELL 1 - 160 FEET SOUTH AND 4250 FEET WEST, WELL 2 - 990 FEET SOUTH AND 2575 FEET WEST, WELL 3 - 160 FEET SOUTH AND 1375 FEET WEST, WELL 4 - 750 FEET SOUTH & 880 FEET EAST, WELL 5 - 580 FEET SOUTH AND 1700 FEET EAST, WELL 6 - 1450 FEET SOUTH & 3270 FEET EAST, WELL 7 - 1100 FEET SOUTH AND 280 FEET EAST, WELL 8 - 1060 FEET NORTH & 2150 FEET EAST ALL FROM MOST EASTERLY NE CORNER, DLC 43

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 (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE 1/4 NE 1/4		7.0 ACRES
SE 1/4 SW 1/4		19.3 ACRES
NE 1/4 SE 1/4		28.1 ACRES
SW 1/4 SE 1/4		35.9 ACRES

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SE 1/4 SE 1/4		43.1 ACRES
	SECTION 8	
SW 1/4 NW 1/4		7.8 ACRES
SE 1/4 NW 1/4		2.0 ACRES
NE 1/4 SW 1/4		11.7 ACRES
NW 1/4 SW 1/4		40.0 ACRES
SW 1/4 SW 1/4		39.8 ACRES
SE 1/4 SW 1/4		13.0 ACRES
	SECTION 9	
NE 1/4 SW 1/4		37.9 ACRES
SW 1/4 SW 1/4		4.1 ACRES
SE 1/4 SW 1/4		6.1 ACRES
NE 1/4 SE 1/4		35.3 ACRES
NW 1/4 SE 1/4		37.7 ACRES
SW 1/4 SE 1/4		4.5 ACRES
SE 1/4 SE 1/4		15.0 ACRES
	SECTION 15	
NE 1/4 NW 1/4	5.5 ACRES	15.3 ACRES
NW 1/4 NW 1/4	0.8 ACRE	36.5 ACRES
SW 1/4 NW 1/4		8.6 ACRES
SE 1/4 NW 1/4	0.2 ACRE	3.3 ACRES
NE 1/4 SW 1/4		0.6 ACRE
SE 1/4 SW 1/4		2.4 ACRES
NE 1/4 SE 1/4		0.3 ACRE
NW 1/4 SE 1/4		0.1 ACRE
SW 1/4 SE 1/4		2.4 ACRES
SE 1/4 SE 1/4		6.5 ACRES
	SECTION 16	
NE 1/4 NE 1/4		1.8 ACRE
	SECTION 17	
NE 1/4 NE 1/4		5.8 ACRES
NW 1/4 NE 1/4		0.3 ACRE
NE 1/4 NW 1/4		1.8 ACRE
	SECTION 21	
NE 1/4 NE 1/4		1.0 ACRE
NW 1/4 NW 1/4		7.8 ACRES
	SECTION 22	

TOWNSHIP 8 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 meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device 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 permittee to report general water use information, including the place and nature of use of water under the permit.

- 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.

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

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

The use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

The use of water under this right is subject to the terms and conditions of contract No. 5-07-10-W1039, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

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

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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.

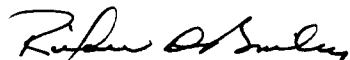
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the well shall begin within one year from permit issuance. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued September 30, 1997



Martha O. Pagel, Director
Water Resources Department

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Basin 02 Volume 26 WILLAMETTE R & TRIBS
LKS MGMT.CODE

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District 16