

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES BUTSCH
15234 BUTSCH LANE NE
MOUNT ANGEL, OR 97362

503-845-2485

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

APPLICATION FILE NUMBER: G-16288

SOURCE OF WATER: DRAIN TILES IN BOCHSLER CREEK BASIN

STORAGE FACILITY: EAST BUTSCH RESERVOIR

PURPOSE OR USE: IRRIGATION USE ON 2.7 ACRES, SUPPLEMENTAL IRRIGATION USE ON 947.5 ACRES AND STORAGE FOR IRRIGATION

MAXIMUM VOLUME: 147.0 ACRE FEET EACH YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND NOVEMBER 1 THROUGH MARCH 31 FOR STORAGE

DATE OF PRIORITY: AUGUST 6, 2004

WELL LOCATION: NW 1/4 SW 1/4, SECTION 31, T5S, R1E, W.M.; 1445 FEET NORTH & 25 FEET EAST OF THE SW CORNER, SECTION 31

RESERVOIR LOCATION: NW 1/4 SW 1/4, SECTION 31, T5S, R1E, W.M.; 2110 FEET NORTH & 945 FEET EAST FROM SW 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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
GOVT LOT: 2	SW 1/4 NW 1/4	16.8 ACRES
	SE 1/4 NW 1/4	1.5 ACRES
GOVT LOT: 3	NW 1/4 SW 1/4	32.0 ACRES
GOVT LOT: 4	SW 1/4 SW 1/4	43.4 ACRES

SECTION 31
TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
DLC: 63	SE 1/4 SW 1/4	8.4 ACRES
DLC: 63	SW 1/4 SE 1/4	12.2 ACRES

SECTION 25

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
DLC: 63	NW 1/4 NE 1/4	25.6 ACRES
DLC: 63	SW 1/4 NE 1/4	20.0 ACRES
DLC: 63	SE 1/4 NE 1/4	18.9 ACRES
DLC: 63	NE 1/4 NW 1/4	28.6 ACRES
DLC: 63	SW 1/4 NW 1/4	3.6 ACRES
DLC: 63	SE 1/4 NW 1/4	31.9 ACRES
DLC: 63	NE 1/4 SW 1/4	40.6 ACRES
DLC: 63	NW 1/4 SW 1/4	9.3 ACRES
DLC: 63	SW 1/4 SW 1/4	7.3 ACRES
GOVT LOT: 4	SW 1/4 SW 1/4	6.5 ACRES
DLC: 63	SE 1/4 SW 1/4	20.0 ACRES
GOVT LOT: 3	SE 1/4 SW 1/4	18.3 ACRES
DLC: 63	NE 1/4 SE 1/4	35.7 ACRES
DLC: 63	NW 1/4 SE 1/4	40.1 ACRES
DLC: 63	SW 1/4 SE 1/4	14.2 ACRES
DLC: 63	SE 1/4 SE 1/4	14.0 ACRES

SECTION 36

TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
	NE 1/4 NW 1/4	20.0 ACRES
GOVT LOT: 4	NW 1/4 NW 1/4	36.8 ACRES
GOVT LOT: 5	SW 1/4 NW 1/4	38.3 ACRES
	SE 1/4 NW 1/4	20.0 ACRES

SECTION 6

TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
	NE 1/4 NE 1/4	38.6 ACRES
	NW 1/4 NE 1/4	39.3 ACRES
	SW 1/4 NE 1/4	35.4 ACRES
	SE 1/4 NE 1/4	36.3 ACRES
	NE 1/4 NW 1/4	30.3 ACRES
	NW 1/4 NW 1/4	13.5 ACRES
	SW 1/4 NW 1/4	17.3 ACRES
	SE 1/4 NW 1/4	17.3 ACRES
	NE 1/4 SW 1/4	38.0 ACRES
	NW 1/4 SW 1/4	28.0 ACRES
	NE 1/4 SE 1/4	17.6 ACRES
	NW 1/4 SE 1/4	34.9 ACRES
	SW 1/4 SE 1/4	37.0 ACRES

SECTION 1

TOWNSHIP 6 SOUTH, RANGE 1 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, for measuring the quantity of water appropriated from East Butsch Reservoir. 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.

STANDARD CONDITIONS

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may not be valid.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

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

Complete application of the water to the use shall be made on or before October 1, 2010. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee 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 permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued September 21, 2006


Phillip C. Ward, Director
Water Resources Department