

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO CONSTRUCT A RESERVOIR AND TO
STORE FOR BENEFICIAL USE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

THE ESTATE OF JOE G. AUSTIN
1425 EAST 16TH STREET
McMINNVILLE, OREGON 97128

503-472-4704

to construct AUSTIN RESERVOIR and to store the waters of UNNAMED SPRINGS AND RUNOFF, a tributary of YAMHILL RIVER, to be appropriated under Application 71826, Permit 51538, for IRRIGATION AND LIVESTOCK WATER.

This permit is issued approving Reservoir Application R-71825. The date of priority is SEPTEMBER 9, 1991. The amount of water entitled to be stored each year is not more than 4.8 ACRE-FEET (AF); BEING 0.8 AF FOR LIVESTOCK AND 4.0 AF FOR IRRIGATION. Water may be appropriated for storage during the period November 1 through June 30.

The dam will be located as follows:

NE 1/4 SE 1/4, SECTION 10, T 3 S, R 4 W, W.M.; 460 FEET NORTH AND 360 FEET WEST FROM THE S 1/16 CORNER BETWEEN SECTIONS 10 AND 11.

The area submerged by the reservoir, when full, will be 1.5 acres and the maximum depth of water will be 11.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

The area to be submerged by the reservoir is located within:

NE 1/4 SE 1/4
SECTION 10
TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director.

In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

Actual construction work shall begin on or before September 8, 1995 and shall be completed on or before October 1, 1996. Complete application of water shall be made on or before October 1, 1997.

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.

The 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 storage of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, September 8, 1994.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director