

STATE OF OREGON
COUNTY OF Yamhill

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THOMAS J. SCHMIDT
13940 SW HIGHWAY 18
MCMINNVILLE, OREGON 97128

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: R-70270

SOURCE OF WATER: SOUTH YAMHILL RIVER, TRIBUTARY TO YAMHILL RIVER

STORAGE FACILITY: AN UNNAMED RESERVOIR

PURPOSE OR USE: STORAGE FOR IRRIGATION

MAXIMUM FLOW/VOLUME ALLOWED: 9.2 ACRE-FEET

PERIOD OF USE: Water may be appropriated for storage during the period November 1 through April 30.

DATE OF PRIORITY: MARCH 30. 1990

THE DAM: The total area proposed to be submerged by the reservoir, when full, is 4.0 acres; the proposed maximum depth of water is 6.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

DAM LOCATION: NE 1/4 SW 1/4, SECTION 6, TOWNSHIP 5 SOUTH, RANGE 4 WEST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4, NW 1/4 SE 1/4, SECTION 6, TOWNSHIP 5 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.
- 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.
- C. 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.

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

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.

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STANDARD CONDITIONS

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

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 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.

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 work shall begin within one year from permit issuance and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

Issued October 17, 1995



Water Resources Department
Martha O. Pagel
Director