

STATE OF OREGON

COUNTY OF MARION

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RONALD G. BUHR  
8608 MT ANGEL HWY  
MT ANGEL, OREGON 97362

(503) 845-2500

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

APPLICATION FILE NUMBER: R-75864

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF THE PUDDING RIVER

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-75865, PERMIT 52020, FOR IRRIGATION

VOLUME OF USE: 5.0 ACRE-FEET EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM NOVEMBER 1 THROUGH APRIL 30

DATE OF PRIORITY: DECEMBER 27, 1994

THE AREA SUBMERGED BY THE RESERVOIRS, WHEN FULL, WILL BE 0.5 ACRE FOR RESERVOIR 1 AND 0.33 ACRE FOR RESERVOIR 2. THE MAXIMUM DEPTH OF WATER WILL BE 8.0 FEET FOR BOTH RESERVOIRS. THE MAXIMUM HEIGHT OF THE DAMS SHALL NOT EXCEED 9.0 FEET FOR BOTH RESERVOIRS.

DAM LOCATION: NW 1/4 SW 1/4, SECTION 15, NE 1/4 SE 1/4, SECTION 16, T6S, R1W, W.M.; DAM 1 - 2600 FEET NORTH AND 390 FEET WEST, DAM 2 - 2460 FEET NORTH AND 10 FEET EAST, BOTH FROM THE SW CORNER OF SECTION 15

THE AREA TO BE SUBMERGED BY THE RESERVOIRS IS LOCATED AS FOLLOWS:

NE 1/4 SE 1/4  
SECTION 16  
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

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

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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.

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

Any disturbance of the riparian area resulting from development of this permit may be required to be rehabilitated or enhanced to be consistent with the appropriate recovery plan, fish and wildlife program or regional restoration program.

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 between May 1 and October 31.

#### STANDARD CONDITIONS

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.

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, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued March 29, 1996



for Water Resources Department  
Martha O. Pagel  
Director