

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MICHAEL W HINTERMEYER  
13501 FORD RD  
GASTON, OREGON 97119

(503) 662-3923

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

APPLICATION FILE NUMBER: R-80297

SOURCES OF WATER: SPRINGS AND HAY CREEK, TRIBUTARIES OF TURNER CREEK

STORAGE FACILITIES: POND #1, POND #2 AND POND #3

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-80298, PERMIT 52053, FOR IRRIGATION OF 12.0 ACRES AND LIVESTOCK WATERING DIRECTLY FROM PONDS

VOLUME OF ALLOWED USE: 1.4 ACRE-FEET (AF), BEING 0.2 AF FROM POND #1, 1.0 AF FROM POND #2, AND 0.2 AF FROM POND #3 EACH YEAR

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FOR STORAGE FROM DECEMBER 1 TO APRIL 30 OF EACH YEAR

DATE OF PRIORITY: MAY 4, 1995

THE AREA SUBMERGED BY THE RESERVOIRS, WHEN FULL, WILL BE 0.088 ACRE FOR POND #1, 0.55 ACRE FOR POND #2, 0.09 ACRE FOR POND #3, AND THE MAXIMUM DEPTH OF WATER WILL BE 8.0 FEET FOR POND #1, 8.0 FEET FOR POND #2 AND 8.0 FEET FOR POND #3. THE MAXIMUM HEIGHT OF THE DAM SHALL NOT EXCEED 10.0 FEET FOR ANY OF THE RESERVOIRS LISTED.

DAM LOCATIONS: NW 1/4 NW 1/4, SECTION 12, T2S, R5W, W.M.; POND #1 - 635 FEET SOUTH & 550 FEET WEST; POND #2 (HAY CR) - 818 FEET SOUTH & 60 FEET WEST; POND #3 - 1052 FEET SOUTH & 550 FEET WEST; ALL FROM THE NW CORNER OF SECTION 12

THE AREAS TO BE SUBMERGED BY THE RESERVOIRS ARE LOCATED WITHIN THE NW 1/4 NW 1/4, SECTION 12, TOWNSHIP 2 SOUTH, RANGE 5 WEST, W.M.

SEE NEXT PAGE

## 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.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area to the satisfaction of the Oregon Department of Fish & Wildlife.

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.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

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 November 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. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 1999.

Issued this date, April 18, 1996

*for*   
Martha O. Pagel, Director  
Water Resources Department

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