

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

VENELL FARMS  
30742 VENELL PLACE  
CORVALLIS, OREGON 97333

(541) 752-2446

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

APPLICATION FILE NUMBER: R-74479

SOURCE OF WATER: MUDDY CREEK, A TRIBUTARY OF MARYS RIVER

STORAGE FACILITY: VENELL RESERVOIR

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER APPLICATION S-74480, PERMIT 52575

MAXIMUM VOLUME ALLOWED: 12.8 ACRE-FEET (AF) EACH YEAR; BEING 0.3 AF FOR FIRE PROTECTION, 4.8 AF FOR RECREATION, AND 7.7 AF FOR IRRIGATION

PERIOD OF USE: WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD NOVEMBER 1 THROUGH JUNE 30

DATE OF PRIORITY: SEPTEMBER 8, 1994 FOR 9.1 ACRE-FEET AND OCTOBER 6, 1995 FOR 3.7 ACRE-FEET

The area submerged by the reservoir, when full, will be 4.25 acres and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 8.0 feet.

DAM LOCATION: SW 1/4 NW 1/4 SECTION 4, SE 1/4 NE 1/4, SECTION 5, T13S, R5W, W.M.; 2900 FEET NORTH AND 70 FEET WEST FROM THE SE CORNER OF SECTION 5

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

SW 1/4 NW 1/4  
NE 1/4 SW 1/4  
SECTION 4

SE 1/4 NE 1/4  
SECTION 5

TOWNSHIP 13 SOUTH, RANGE 5 WEST, W.M.

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PERMIT R-11916

## 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 permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screen is to be in place and functional prior to diversion of any water.

**STANDARD CONDITIONS**

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary by the Water Resources Director to satisfy prior downstream rights.

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.

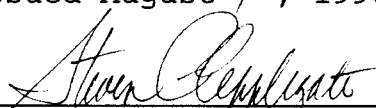
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 August 7, 1996

  
for Martha O. Page, Director  
Water Resources Department

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Basin 02                    Volume 4A, Muddy Creek & Misc.

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District 02