

STATE OF OREGON

COUNTY OF MARION

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KRAEMER FARMS
13318 DOMINIC ROAD
MT. ANGEL, OREGON 97362

(503) 845-2489

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

APPLICATION FILE NUMBER: R-72038

SOURCE OF WATER: ZOLLNER CREEK, TRIBUTARY OF PUDDING RIVER

STORAGE FACILITY: TWO KRAEMER FARMS RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED/MAINTAINED UNDER APPLICATION S-72037, PERMIT 52836, FOR SUPPLEMENTAL IRRIGATION AND WILDLIFE HABITAT

VOLUME OF USE: 145.0 ACRE-FEET (AF) EACH YEAR, BEING 125.0 AF IN RESERVOIR 1 AND 20.0 AF IN RESERVOIR 2

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

DATE OF PRIORITY: NOVEMBER 22, 1991

The area submerged by Reservoir 1, when full, will be 18.5 acres and the maximum depth of water will be 16.0 feet. The maximum height of the dam shall not exceed 19.5 feet.

The area submerged by Reservoir 2, when full, will be 4.1 acres and the maximum depth of water will be 11.0 feet. The maximum height of the dam shall not exceed 14.0 feet.

DAM LOCATION: NW 1/4 NW 1/4, SECTION 2, NE 1/4 NE 1/4, SECTION 3, T6S, R1W, W.M.; RESERVOIR 1 - 160 FEET SOUTH AND 1790 FEET EAST; RESERVOIR 2 - 1100 FEET SOUTH AND 3410 FEET EAST, BOTH FROM THE N 1/4 CORNER OF SECTION 3

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

NW 1/4 NW 1/4
SW 1/4 NW 1/4
SECTION 2

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NE 1/4 NE 1/4
SECTION 3
TOWNSHIP 6 SOUTH, RANGE 1 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, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- 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.

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.

If the conditions of the Agreement (dated August 1, 1994) made between the Oregon Department of Fish and Wildlife (ODFW) and the applicant, Harold Kraemer of Kraemer Farms, are not met to ODFW specifications, fish passage facilities will be necessary. The Agreement is on file with the Department.

The outlet gate shall be cycled at least once each year and shall be fully operational.

Routine maintenance of the dam, spillway and appurtenant structures shall be performed as necessary to remove trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

The earthen dam, concrete spillway and resultant reservoir shall be constructed and maintained according to the approved plans and specifications on file with the Water Resources Dam Safety program. Any changes in the approved design prior to construction shall be documented in a letter to Dam Safety.

All construction shall be performed under the supervision of a professional engineer licensed in Oregon. No fill shall be placed until excavation of the foundation has been completed and examined in its entirety and approved by the engineer of record, or by the Water Resources Dam Safety Engineer.

No water shall be stored until the Water Resources Department receives written certification from the engineer of record that construction has been completed in accordance with the approved plans and specifications. If construction deviates from the approved design, a set asbuilt drawings must accompany the engineer's written certification of completion.

The completed structure shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any modification to the dam, spillway or appurtenant structures.

The dam shall be constructed, operated, and maintained according to the approved plans and specifications dated September 2, 1996, on file with the Water Resources Department.

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 September 30, 1996



Martha O. Pagel, Director
Water Resources Department

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 MGMT.CODES 2AD, 2AW, 2BD, 2BW, 2CD, 2CW

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