

STATE OF OREGON

COUNTY OF POLK

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVID KNEILING
2831 BRUSH COLLEGE ROAD NW
SALEM, OREGON 97304

(503) 363-4823

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

APPLICATION FILE NUMBER: R-75365

SOURCE OF WATER: A SPRING AND AN UNNAMED STREAM, TRIBUTARIES OF SPRING VALLEY CREEK

STORAGE FACILITY: TWO UNNAMED RESERVOIRS

PURPOSE OR USE OF THE STORED WATER: TO BE APPROPRIATED UNDER PERMIT 53509 FOR IRRIGATION.

MAXIMUM STORAGE VOLUME: 4.8 ACRE-FEET EACH YEAR, BEING 1.1 ACRE-FEET IN RESERVOIR 2 AND 3.7 ACRE-FEET IN RESERVOIR 3

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: NOVEMBER 1 THROUGH FEBRUARY 28

DATE OF PRIORITY: DECEMBER 12, 1994

The total area to be submerged by Reservoir 2, when full, is 0.4 acre; the maximum depth of water is 7.0 feet. The maximum height of the dam will not exceed 8.0 feet.

The total area to be submerged by Reservoir 3, when full, is 0.9 acre; the maximum depth of water is 9.0 feet. The maximum height of the dam will not exceed 9.9 feet.

DAM LOCATION: SE 1/4 NE 1/4, SECTION 26, T6S, R4W, W.M.; RESERVOIR 2 - 1370 FEET SOUTH & 750 FEET WEST; RESERVOIR 3 - 1370 FEET SOUTH & 400 FEET WEST, ALL FROM NE CORNER, SECTION 26

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

NE 1/4 NE 1/4
SE 1/4 NE 1/4
SECTION 26
TOWNSHIP 6 SOUTH, RANGE 4 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 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.

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

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.

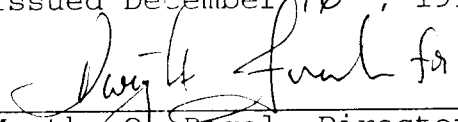
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 by December 16, 1999. The reservoir(s) shall be filled and complete application of water shall be made on or before October 1, 2003. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 16, 1998



Martha O. Pagel, Director
Water Resources Department