



STATE OF OREGON

MARION COUNTY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 63511 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to Floyd L. Bailey, Jr. of 5134 Jess Marion Road, SE, Turner, Oregon 97392, phone 327-2365, for the use of the waters of Marion Creek, a tributary of North Santiam River, for the PURPOSE of irrigation; that the PRIORITY OF THE RIGHT dates from May 4, 1982, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.44 cubic foot per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINT OF DIVERSION is to be LOCATED: 460 feet North and 1,870 feet West from the Southeast Corner of Section 5, being within the SW 1/4 SE 1/4 of Section 5, Township 10 South, Range 2 West, WM, in the County of Marion.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

| | | | | | |
|-------------------|------------------|-----------|--------|--------|------------|
| Township 10 South | Range 2 West, WM | Section 5 | SW 1/4 | SE 1/4 | 5.5 acres |
| | | | SE 1/4 | SE 1/4 | 2.1 acres |
| | | Section 8 | NE 1/4 | NE 1/4 | 10.4 acres |
| | | | NW 1/4 | NE 1/4 | 17.0 acres |

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 1/80 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before August 16, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 16th day of August, 1982.

/s/ JAMES E. SEXSON
WATER RESOURCES DIRECTOR

APPLICATION 63511

PERMIT 46823

"CERTIFICATE NO. 65384"