



## STATE OF OREGON

BENTON COUNTY

### PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 63620 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 Arthur L. Rowland and Kenneth M. Rowland of 131 Ervin Road, Philomath, Oregon 97370, phone 929-3339, for the use of the waters of Bull Run Creek and 0.43 acre-foot of stored water from two reservoirs to be constructed under Application R-63619, Permit R-8514, tributaries of Muddy Creek, for the PURPOSE of irrigation and supplemental irrigation; being 0.01 cubic foot per second of water from Bull Run Creek for irrigation and 0.43 acre-foot from the reservoirs for supplemental irrigation; that the PRIORITY OF THE RIGHT dates from June 15, 1982, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.01 cubic foot per second measured at the points of diversion from the stream, or their equivalent in case of rotation with other water users.

The POINTS OF DIVERSION are to be LOCATED: Diversion 1 (Reservoir 1) - 1,050 feet South and 1,180 feet West; Diversion 2 (Bull Run Creek) - 1,070 feet South and 1,240 feet West, both from the N 1/4 Corner of Section 35, being within the NE 1/4 NW 1/4 of Section 35, Township 12 South, Range 6 West, WM, in the County of Benton.

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

Township 12 South Range 6 West, WM Section 35 NE 1/4 NW 1/4 1.2 acres stored water only (supplemental), and 0.8 acre Bull Run Creek and reservoir (primary)

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 from direct flow and storage from reservoir to be constructed under Permit R-8514, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, 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 November 23, 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 23rd day of November, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

APPLICATION 63620

ASSIGNED, See Misc. Rec., Vol. 6 Page 1519

PERMIT

47081

"CERTIFICATE NO. 66659"