



STATE OF OREGON

County of LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 60823 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 Lacombe Irrigation District, 41358 Lacombe Drive, Lebanon, Oregon, 97355, phone 451-2796, for the use of the waters of Crabtree Creek, a tributary of South Santiam River, for the PURPOSE of Development of 1747 theoretical horsepower at the Lacombe Irrigation District hydro-electric project,

that the PRIORITY OF THE RIGHT dates from September 29, 1980 for 45.0 cubic feet per second
August 5, 1982 for 20.0 cubic feet per second,

and is limited to the amount of water which can be applied to beneficial use and shall not exceed 65.0 cubic foot per second.

The POINT OF DIVERSION is to be LOCATED: 1300 feet South and 2600 feet East from the West quarter corner of Section 25, being within the NE 1/4 SW 1/4 Section 25, Township 11 South, Range 1 East, WM, in the County of Linn.

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

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Township 11 South, Range 1 East, WM Section 21 NE1/4 SW1/4 POWER PLANT

The right granted herein is expressly made inferior in right and subsequent in time to any appropriation of water from this source which may hereafter be made for domestic, municipal, irrigation or any other beneficial consumptive use, or for storage for such purposes; provided further that the project shall be constructed under the supervision of a registered professional engineer; provided further that the permittee shall comply with the provisions of the order of the Water Policy Review Board dated May 8, 1981, and by reference herein made part of this permit; provided further that the permittee shall, during the operational lifetime of the project, perform or allow the Water Resources Department to perform any tests or studies required by the department to evaluate the effectiveness of measures for the protection of fish; provided further that this permit may not be assigned to any non-municipal entity so as to result in a loss of ownership of the permit by a municipal corporation or district and that any proposed changes to the agreements between the permittee and TKO Power signed on June 19, 1986, and August 19, 1986, as amended on November 17, 1986, must be reviewed by the Water Resources Director to determine whether or not the permittee remains qualified as a municipal applicant.

This permit is subject to the installation of a measuring device satisfactory to the Water Resources Director and the Oregon Department of Fish and Wildlife prior to the appropriation of water as described in this permit.

Actual construction work shall begin on or before November 25, 1987, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 88.

Complete application of the water to the proposed use shall be made on or before October 1, 19 89.

Witness my hand this 25th day of November, 19 86.

/s/ WILLIAM H. YOUNG

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. 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. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.