

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ELDER BROTHERS  
BY DUANE V. ELDER  
11690 HOOK ROAD NE  
MT. ANGEL, OREGON 97362

503-845-6033

to use the waters of PUDDING RIVER, a tributary of MOLALLA RIVER, for IRRIGATION OF 125.0 ACRES.

This Permit is issued approving Application 68705. The date of priority is APRIL 16, 1986. The use is limited to not more than 1.56 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 29, T 6 S, R 1 W, W.M.; 200 FEET NORTH AND 800 FEET EAST FROM THE SW CORNER, COX DLC 43.

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 ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated 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.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the proposed place of use under the Permit is as follows:

SW 1/4 NW 1/4	18.3 ACRES	SE 1/4 NE 1/4	29.2 ACRES
NW 1/4 SW 1/4	2.5 ACRES	SW 1/4 NE 1/4	27.8 ACRES
NE 1/4 SW 1/4	0.7 ACRE	SE 1/4 NW 1/4	0.8 ACRE
SECTION 29		NE 1/4 SW 1/4	4.9 ACRES
		NW 1/4 SE 1/4	19.3 ACRES
		NE 1/4 SE 1/4	21.5 ACRES

SECTION 30

TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

Actual construction work shall begin on or before September 29, 1990, and shall be completed on or before October 1, 1991. Complete application of the water to the use shall be made on or before October 1, 1992.

This permit is for the beneficial use of water without waste. 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 granted herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, September 29, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Department  
William H. Young  
Director

APPLICATION 68705 WATER RESOURCES DEPARTMENT  
BASIN 2 VOLUME 13 PUDDING RIVER DISTRICT 16  
68705.SB

PERMIT 50736