

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THE ESTATE OF JOE G. AUSTIN
1425 EAST 16TH STREET
MCMINNVILLE, OREGON 97128

503-472-4704

to use the waters of UNNAMED SPRINGS AND AUSTIN RESERVOIR CONSTRUCTED UNDER APPLICATION R-71825, PERMIT R-11502, a tributary of YAMHILL RIVER, for IRRIGATION OF 15.0 ACRES AND LIVESTOCK WATER.

This permit is issued approving Application 71826. The date of priority is SEPTEMBER 9, 1991. The use is limited to not more than 0.20 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FOR LIVESTOCK AND 0.19 CFS FOR IRRIGATION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SE 1/4, SECTION 10, T 3 S, R 4 W, W.M.; 460 FEET NORTH AND 360 FEET WEST FROM THE S 1/16 CORNER BETWEEN SECTIONS 10 AND 11.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The period of allowed use for water legally stored is March 1 through October 31. Live flow from the unnamed springs may be used from March 1 through April 30.

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 this permit is as follows:

NE 1/4 SE 1/4 13.3 ACRES STOCKWATER
NW 1/4 SE 1/4 1.7 ACRES
SECTION 10
TOWNSHIP 3 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.

Actual construction work shall begin on or before September 8, 1995 and shall be completed on or before October 1, 1996. Complete application of water shall be made on or before October 1, 1997.

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 rights for maintaining instream flows.

The Director of the Water Resources Department has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, September 8, 1994.

/s/ MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director

