

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MALLORIE'S DAIRY, INC.  
P.O. BOX 618  
SILVERTON, OREGON 97381

503-873-5346

to use the waters of RESERVOIRS 1 AND 2 CONSTRUCTED UNDER Permit R-11534 AND Permit R-11533, tributaries of PUDDING RIVER, for IRRIGATION OF 99.59 ACRES AND SUPPLEMENTAL IRRIGATION OF 177.20 ACRES AND AGRICULTURAL USE (DAIRY OPERATIONS WASHDOWN).

This permit is issued approving Application 71913. The date of priority is OCTOBER 9, 1991. The use is limited to not more than 176 ACRE FEET OF STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:.

SE 1/4 SE 1/4, SECTION 29, SW 1/4 NE 1/4, SE 1/4 NW 1/4, SECTION 32, T 6 S, R 1 W, W.M.; DIVERSION POINT C - 800 FEET NORTH AND 710 FEET WEST SE CORNER, SECTION 29, DIVERSION POINT A - 1740 FEET SOUTH AND 2230 FEET WEST, DIVERSION POINT B - 2080 FEET SOUTH AND 2990 FEET WEST, BOTH FROM NE CORNER, SECTION 32.

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 2.5 acre-feet for each acre irrigated during the irrigation season of each year. The use of water for irrigation is limited to the period of March 1 through October 31 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 this permit is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 SW 1/4		1.3 ACRES
SE 1/4 SW 1/4	0.10 ACRE	19.2 ACRES
SE 1/4 SE 1/4	32.00 ACRES	
SECTION 29		
NE 1/4 NE 1/4		10.0 ACRES
NW 1/4 NE 1/4	23.00 ACRES	1.4 ACRES
SW 1/4 NE 1/4		24.9 ACRES
SE 1/4 NE 1/4		35.4 ACRES
NE 1/4 NW 1/4	7.50 ACRES	24.0 ACRES
NW 1/4 NW 1/4	0.05 ACRE	
SW 1/4 NW 1/4	9.04 ACRES	
SE 1/4 NW 1/4	3.00 ACRES	30.0 ACRES
NE 1/4 SW 1/4	6.00 ACRES	15.6 ACRES
NW 1/4 SW 1/4	6.00 ACRES	2.0 ACRES
SW 1/4 SW 1/4	10.00 ACRES	
SE 1/4 SW 1/4	0.40 ACRE	
NE 1/4 SE 1/4		0.3 ACRE
NW 1/4 SE 1/4	2.50 ACRES	13.1 ACRES
SECTION 32		
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.		

## Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

Actual construction work shall begin on or before April 24, 1996 and shall be completed on or before October 1, 1997. Complete application of the water to the use shall be made on or before October 1, 1998.

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.

Issued this date, April 24, 1995.

/s/ MARTHA O. PAGEL

Water Resources Department  
Martha O. Pagel  
Director