

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROY E. AND DARLENE S. SMITH
22215 WALLACE ROAD NW
SALEM, OREGON 97304

503-868-7235

to use the waters of AN UNNAMED STREAM, a tributary of WILLAMETTE RIVER, for IRRIGATION OF 60.0 ACRES AND AGRICULTURAL USE.

This permit is issued approving Application 71485. The date of priority is APRIL 4, 1991. The use is limited to not more than 0.08 CUBIC FOOT 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:

NW 1/4 NE 1/4, SECTION 33, T 5 S, R 3 W, W.M.; 560 FEET SOUTH AND 1660 FEET EAST FROM THE NE CORNER OF DLC NO. 60.

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 irrigation is March 1 through October 31.

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:

SW 1/4 SW 1/4	5.5 ACRES AGRICULTURAL USE SECTION 27
SW 1/4 SE 1/4 SE 1/4 SE 1/4	4.0 ACRES AGRICULTURAL USE 12.0 ACRES AGRICULTURAL USE SECTION 28
NE 1/4 NE 1/4 NW 1/4 NE 1/4 NW 1/4 NW 1/4	20.5 ACRES AGRICULTURAL USE 1.0 ACRE AGRICULTURAL USE 17.0 ACRES AGRICULTURAL USE SECTION 33

TOWNSHIP 5 SOUTH, RANGE 3 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.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Issued this date, April 24, 1995.

151 MARTHA O. PAGEL

Water Resources Department
Martha O. Pagel
Director

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