

STATE OF OREGON

COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CARLTON PLANTS  
P.O. BOX 398  
DAYTON, OREGON 97114-9988

503-868-7971

to use the waters of WILLAMETTE BASIN PROJECT RESERVOIRS CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 47.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 120.6 ACRES.

This permit is issued approving Application 73277. The date of priority is March 11, 1993. The use is limited to not more than 420.0 ACRE FEET STORED WATER ONLY, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 5 (NW 1/4 NW 1/4), SECTION 10, T 5 S, R 3 W, W.M.; 430 FEET NORTH AND 80 EAST FROM THE SW CORNER OF LOT 5.

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 period of allowed use is April 1 through September 30.

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

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

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

		<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
	SW 1/4 NE 1/4	2.9 ACRES	
	SE 1/4 NE 1/4	8.6 ACRES	
	NE 1/4 SE 1/4	16.7 ACRES	
	NW 1/4 SE 1/4	10.7 ACRES	
	SW 1/4 SE 1/4	3.6 ACRES	
GAINES DLC 50	(SW 1/4 SE 1/4)		21.4 ACRES
	SE 1/4 SE 1/4	4.8 ACRES	
GAINES DLC 50	(SE 1/4 SE 1/4)		27.6 ACRES
SECTION 8			
	LOT 2 (SW 1/4 SW 1/4)		22.4 ACRES
	LOT 1 (SE 1/4 SW 1/4)		0.8 ACRE
COOPER DLC 53	(SE 1/4 SW 1/4)		16.5 ACRES
COOPER DLC 53	(SW 1/4 SE 1/4)		9.9 ACRES
SECTION 9			
COOPER DLC 53	(NW 1/4 NE 1/4)		2.8 ACRES
COOPER DLC 53	(NE 1/4 NW 1/4)		4.6 ACRES
LOT 3	(NW 1/4 NW 1/4)		4.5 ACRES
SECTION 16			
GAINES DLC 50	(NE 1/4 NE 1/4)		5.6 ACRES
GAINES DLC 50	(NW 1/4 NE 1/4)		4.5 ACRES
SECTION 17			
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.			

Application 73277

Water Resources Department

PERMIT 51610

T-9400022 (Final)

## 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.

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.

The use of water under this right is subject to the terms and conditions of contract No.5-07-10-W1030, dated March 10, 1995, or a satisfactory replacement between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

Actual construction work shall begin on or before April 24, 1996 and shall be completed on or before October 1, 1997. Complete application of water 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 prior 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, April 24, 1995.

Water Resources Department  
Martha O. Pagel  
Director

Application 73277  
Basin 2

Water Resources Department  
Volume 17 LAMBERT SLOUGH & MISC  
MGMT.CODE 1BF, 1BW

PERMIT 51610  
District 16