

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DONG KUEN CHAEY  
3705 MARKET ST NE  
SALEM, OREGON 97301

503-581-4441

to use the waters of AN UNNAMED STREAM AND RESERVOIRS A, B, C, D, E, F, G, H, I, and J constructed under Application R-72926, PERMIT R-11548, tributaries of SALT CREEK, for IRRIGATION OF 79.3 ACRES AND RECREATION.

This permit is issued approving Application 72927. The date of priority is OCTOBER 30, 1992. The use is limited to not more than 1.0 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:

SW 1/4 NW 1/4, SECTION 9, T 7 S, R 5 W, W.M.; 1200 FEET NORTH AND 1450 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 9.

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 from direct flow and storage.

Water may be appropriated from the unnamed stream for irrigation during the period March 1 through April 30, and for recreation during the period November 1 through April 30. Stored Water may be used for irrigation during the period March 1 through October 31 and year round for recreation use.

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:

IRRIGATION

SW 1/4 SW 1/4	0.1 ACRE
SE 1/4 SW 1/4	2.8 ACRES AND RECREATION
SW 1/4 SE 1/4	4.0 ACRES
SECTION 4	

NW 1/4 NE 1/4	6.5 ACRES
SW 1/4 NE 1/4	7.8 ACRES AND RECREATION
NE 1/4 NW 1/4	13.4 ACRES AND RECREATION
NW 1/4 NW 1/4	7.9 ACRES AND RECREATION
SW 1/4 NW 1/4	6.0 ACRES AND RECREATION
SE 1/4 NW 1/4	16.0 ACRES AND RECREATION
NE 1/4 SW 1/4	14.5 ACRES AND RECREATION
NW 1/4 SW 1/4	0.3 ACRE AND RECREATION
SECTION 9	

TOWNSHIP 7 SOUTH, RANGE 5 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.

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- 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.
- C. 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.

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 12, 1996, and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

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 Water Resources Commission has found that the proposed use of water described by this permit, as conditioned, will not impair or be detrimental to the public interest on April 6, 1995.

Issued this date April 12, 1995.

B date ext to 10-1-03  
C date ext to 10-1-04

/s/ Steven P. Applegate

Water Resources Department  
Martha O. Pagel  
Director