

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GREEN VILLA FARMS  
PO BOX 37  
INDEPENDENCE, OREGON 97351

503-838-3702

to use the waters of HAYDEN SLOUGH AND WILLAMETTE RIVER, a tributary of COLUMBIA RIVER, for FOR IRRIGATION OF 26.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 598.0 ACRES.

This permit is issued approving Application 71058. The date of priority is DECEMBER 19, 1990. The use is limited to not more than 5.76 CUBIC FEET PER SECOND (CFS), BEING 4.46 CFS FROM WILLAMETTE RIVER AND 1.30 CFS FROM HAYDEN SLOUGH, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

HAYDEN SLOUGH - NW 1/4 SW 1/4, SECTION 36, T 7 S, R 4 W, W.M.; 1510 FEET NORTH AND 1100 FEET EAST FROM THE W 1/4 CORNER OF SECTION 36, SE 1/4 NE 1/4, SECTION 3, T 8 S, R 4 W, W.M.; 3070 FEET NORTH AND 320 FEET WEST FROM THE SE CORNER OF SECTION 3.

WILLAMETTE RIVER - SW 1/4 NW 1/4, SE 1/4 NW 1/4, SECTION 1, T 8 S, R 4 W, W.M.; 4940 FEET SOUTH AND 1080 FEET EAST; 4300 FEET SOUTH AND 1400 FEET EAST, BOTH FROM THE W 1/4 CORNER OF SECTION 36, T 7 S, R 4 W, W.M.

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 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:

HAYDEN SLOUGH

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW 1/4 SW 1/4	4.4 ACRES	
SECTION 36		
TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.		
NW 1/4 SW 1/4	7.7 ACRES	3.0 ACRES
SW 1/4 SW 1/4		21.5 ACRES
SECTION 2		
NE 1/4 SE 1/4	7.9 ACRES	15.0 ACRES
NW 1/4 SE 1/4	0.8 ACRE	
SW 1/4 SE 1/4	3.8 ACRES	
SE 1/4 SE 1/4	1.8 ACRES	38.0 ACRES
SECTION 3		
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.		

## WILLAMETTE RIVER

SUPPLEMENTAL

NE 1/4	SW 1/4	0.1 ACRE
NW 1/4	SW 1/4	0.7 ACRE
SW 1/4	SW 1/4	19.2 ACRES
SE 1/4	SW 1/4	14.0 ACRES

## SECTION 25

SW 1/4	SE 1/4	1.4 ACRES
SE 1/4	SE 1/4	10.2 ACRES

## SECTION 26

NE 1/4	NE 1/4	40.0 ACRES
NW 1/4	NE 1/4	12.4 ACRES
SW 1/4	NE 1/4	25.8 ACRES
SE 1/4	NE 1/4	40.0 ACRES
NE 1/4	SE 1/4	4.8 ACRES
SW 1/4	SE 1/4	0.3 ACRE
SE 1/4	SE 1/4	33.0 ACRES

## SECTION 35

NW 1/4	NW 1/4	34.6 ACRES
SW 1/4	NW 1/4	22.6 ACRES
NW 1/4	SW 1/4	22.0 ACRES
SW 1/4	SW 1/4	2.0 ACRES

## SECTION 36

TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.

NE 1/4	NE 1/4	36.5 ACRES
NW 1/4	NE 1/4	28.8 ACRES
SW 1/4	NE 1/4	21.4 ACRES
SE 1/4	NE 1/4	21.5 ACRES
NE 1/4	NW 1/4	9.0 ACRES
NW 1/4	NW 1/4	5.4 ACRES
SW 1/4	NW 1/4	28.4 ACRES
SE 1/4	NW 1/4	7.8 ACRES
NW 1/4	SW 1/4	17.2 ACRES
SW 1/4	SW 1/4	21.5 ACRES

## SECTION 2

NE 1/4	NE 1/4	3.0 ACRES
SW 1/4	NE 1/4	3.5 ACRES
SE 1/4	NE 1/4	30.7 ACRES
NE 1/4	SE 1/4	33.6 ACRES
NW 1/4	SE 1/4	3.0 ACRES
SW 1/4	SE 1/4	3.8 ACRES
SE 1/4	SE 1/4	39.8 ACRES

## SECTION 3

TOWNSHIP 8 SOUTH, RANGE 4 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.

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

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 permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

Actual construction work shall begin on or before August 29, 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.

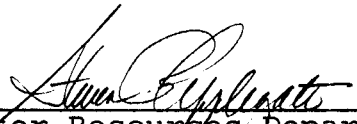
This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 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, August 29, 1995.

*for*   
 Water Resources Department  
 Martha O. Pagel  
 Director