

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ELSIE MATHEWS TRUST                      AND    DELMAR AND PATTY MATHEWS  
38252 MCKENZIE HWY                      38127 MCKENZIE HWY  
SPRINGFIELD, OREGON 97478              SPRINGFIELD, OREGON 97478

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER:    S-71590

SOURCE OF WATER:    WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-5363, TRIBUTARY OF MCKENZIE RIVER

PURPOSE OR USE:    IRRIGATION OF 33.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 19.0 ACRES

RATE/VOLUME OF USE:    131.25 ACRE-FEET OF STORED WATER ONLY

PERIOD OF ALLOWED USE:    APRIL 1 TO SEPTEMBER 30

DATE OF PRIORITY:    May 13, 1991

POINT OF DIVERSION LOCATION:    SE 1/4 SW 1/4, SECTION 29, SW 1/4 NE 1/4, SECTION 31, T17S, R1W, W.M.; DIVERSION POINT - 220 FEET NORTH & 810 FEET WEST FROM THE S 1/4 CORNER OF SECTION 29, PUMP SITE - 1575 FEET SOUTH AND 619 FEET EAST FROM THE N 1/4 CORNER OF SECTION 31

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 2.5 Acre-Feet stored water only for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 SE 1/4	0.7 ACRE	
SE 1/4 SE 1/4	3.1 ACRES	
	SECTION 30	
NW 1/4 NE 1/4	17.4 ACRES	19.0 ACRES
SW 1/4 NE 1/4	1.3 ACRES	
NE 1/4 NW 1/4	11.0 ACRES	
	SECTION 31	
	TOWNSHIP 17 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.
- 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.

The use of water under this permit is subject to the terms and conditions of Water Service Contract No. 2-07-10-W0905 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.

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 inspected/approved by an ODFW representative prior to diversion of any water.

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.

**STANDARD CONDITIONS**

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

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.

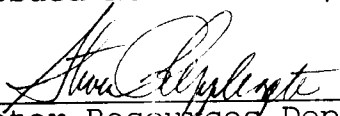
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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

Actual construction work shall begin within one year from permit issuance 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.

Issued November 15, 1995

BC 97

  
Water Resources Department  
for Martha O. Pagel  
Director

Application S-71590  
Basin 02  
DLB

Water Resources Department  
Volume 2, McKenzie River & Misc  
MGMT.CODE 1BF, 1BW

PERMIT 51781  
District 02