

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JIM FLEISHMEN
34464 BREWSTER RD
LEBANON, OREGON 97355

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

APPLICATION FILE NUMBER: S-73091

SOURCE OF WATER: SOUTH SANTIAM RIVER, AN UNNAMED SLOUGH AND WILLAMETTE BASIN PROJECT RESERVOIRS, UNDER PERMIT R-5363, TRIBUTARIES OF SANTIAM RIVER

PURPOSE OR USE: IRRIGATION OF 46.1 ACRES

QUANTITY OF USE: 0.58 CUBIC FOOT PER SECOND, BEING 0.51 CFS FROM RIVER AND 0.07 CFS FROM SLOUGH and 92.2 ACRE-FEET STORED WATER ONLY

PERIOD OF USE: Stored water: APRIL 1 TO SEPTEMBER 30 WITH USBOR CONTRACT, Live stream flow: APRIL 1-30 AND OCTOBER 1-31

DATE OF PRIORITY: December 23, 1992

POINT OF DIVERSION LOCATION:

NW 1/4 NE 1/4, SW 1/4 NE 1/4, NE 1/4 NW 1/4, SECTION 25, T11S, R2W, W.M.; POD 1 - 450 FEET SOUTH & 600 FEET WEST, POD 2 - 690 FEET SOUTH & 590 FEET EAST, POD 3 - 1660 FEET SOUTH & 1210 FEET EAST, ALL FROM THE N 1/4 CORNER OF SECTION 25

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 PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4 0.8 ACRE
NW 1/4 NE 1/4 39.6 ACRES
SW 1/4 NE 1/4 1.0 ACRE
SE 1/4 NE 1/4 4.7 ACRES

SECTION 25

TOWNSHIP 11 SOUTH, RANGE 2 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. 5-07-10-W1082 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 approved by an ODFW representative prior to diversion of any water.

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(s) 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, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued January 26, 1996

C date ext to 10-1-01

G. Huntington (for)

Water Resources Department
Martha O. Pagel
Director