

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MUDDY CREEKS IRRIGATION PROJECT
32255 BOWERS DRIVE
HARRISBURG, OREGON 97446

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

APPLICATION FILE NUMBER: S-73240

SOURCE OF WATER: WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, TRIBUTARIES OF WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 246.6 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 247.0 ACRE-FEET STORED WATER

PERIOD OF USE: APRIL 1 THROUGH SEPTEMBER 30 PER CONTRACT

DATE OF PRIORITY: FEBRUARY 5, 1993

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, SECTION 24, T15S, R4W, W.M.; 3235 FEET SOUTH AND 2955 FEET EAST FROM THE SW CORNER OF HENRY SCHOOLING DLC 46

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 for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 NE 1/4 10.9 ACRES
SW 1/4 NE 1/4 26.7 ACRES
NE 1/4 NW 1/4 14.4 ACRES
NW 1/4 NW 1/4 7.3 ACRES
SW 1/4 NW 1/4 28.8 ACRES
SE 1/4 NW 1/4 40.0 ACRES
NE 1/4 SW 1/4 40.0 ACRES
NW 1/4 SW 1/4 28.7 ACRES
NW 1/4 SE 1/4 25.2 ACRES
SW 1/4 SE 1/4 24.6 ACRES

SECTION 24

TOWNSHIP 15 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.

The use of water under this permit is subject to the terms and conditions of Water Service Contract No. 5-07-10-W1044 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.

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(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 February 15, 1996



Water Resources Department

for Martha O. Pagel
Director