

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BREYMAN FARM
7656 SOUTH RIVER ROAD
SALEM, OREGON 97306

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

APPLICATION FILE NUMBER: S-72417

SOURCE OF WATER: WILLAMETTE BASIN PROJECT RESERVOIR, CONSTRUCTED UNDER PERMIT R-1625, TRIBUTARY OF WILLAMETTE RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 186.8 ACRES

MAXIMUM VOLUME/RATE ALLOWED: 467.175 ACRE-FEET STORED WATER ONLY

PERIOD OF ALLOWED USE: March 1 through October 31 or as may be further limited by the Bureau of Reclamation water supply contract.

DATE OF PRIORITY: MAY 29, 1992

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SE 1/4 SW 1/4, SW 1/4 SW 1/4, SECTION 27; NE 1/4 NE 1/4, SECTION 33; NW 1/4 NW 1/4 SECTION 34; T8S, R4W, W.M.; WELL #1 - 625 FEET SOUTH AND 1515 FEET WEST; WELL #2 - 2440 FEET SOUTH AND 770 FEET WEST; BOTH FROM THE CENTER OF SECTION 27; WELL #3 - 20 FEET NORTH AND 1035 FEET EAST; WELL #5 - 630 FEET SOUTH AND 1210 FEET EAST; BOTH FROM THE SW CORNER OF SECTION 27; WELL #4 - 600 FEET SOUTH AND 120 FEET WEST FROM THE SOUTHWEST CORNER OF SECTION 27

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 SW 1/4 16.0 ACRES
NW 1/4 SW 1/4 21.0 ACRES
SW 1/4 SW 1/4 33.5 ACRES
SE 1/4 SW 1/4 36.1 ACRES
SECTION 27

NE 1/4 SE 1/4 3.5 ACRES
SE 1/4 SE 1/4 1.5 ACRES
SECTION 28

NE 1/4 NE 1/4 15.7 ACRES
SECTION 33

NE 1/4 NW 1/4 30.6 ACRES
NW 1/4 NW 1/4 28.9 ACRES
SECTION 34

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.

The use of water under this permit is subject to the terms and conditions of Water Service Contract No. 2-07-10-W0941 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 wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure guage adequate to determine water level elevation in the well at all times. The use of water shall be limited when it interferes with any prior surface or ground water rights.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction of the wells 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 March 18, 1996


for Martha O. Pagel, Director
Water Resources Department