

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GERALD P. BLACK  
1390 SKYLINE PARK LOOP  
EUGENE, OREGON 97405

(541) 485-7856

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

APPLICATION FILE NUMBER: S-69771

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF LONG TOM RIVER

PURPOSE OR USE: IRRIGATION OF 0.42 ACRE AND FISH CULTURE

RATE OF ALLOWED USE: 0.0142 CUBIC FOOT PER SECOND (CFS) (6.4 GALLONS PER MINUTE (GPM)), BEING 0.0053 CFS (2.4 GPM) FOR IRRIGATION AND 0.0089 CFS (4.0 GPM) FISH CULTURE

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FOR IRRIGATION AND YEAR ROUND FOR FISH CULTURE

DATE OF PRIORITY: DECEMBER 5, 1988

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 16, T18S, R3W, W.M.; 200 FEET NORTH AND 1940 FEET EAST FROM THE NE CORNER OF JAMES F. BOWDEN DLC 53

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:

NW 1/4 SW 1/4 0.42 ACRE  
SECTION 16  
TOWNSHIP 18 SOUTH, RANGE 3 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 permittee may be required in the future to 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 use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

#### 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 March 15, 1996

*G. Huntington (for)*

Water Resources Department  
Martha O. Pagel  
Director