

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JOHN W. HENNEBERGER
3256 NW HARRISON BLVD.
CORVALLIS, OREGON 97330-5003

(541) 929-6790

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

APPLICATION FILE NUMBER: S-73271

SOURCE OF WATER: MARY'S RIVER, A TRIBUTARY OF THE WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 5.3 ACRES

RATE OF USE: 0.066 CUBIC FOOT PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH MAY 31 AND JULY 1 THROUGH JULY 31

DATE OF PRIORITY: MARCH 3, 1993

POINT OF DIVERSION LOCATION: NW 1/4 NW 1/4, SECTION 13, T12S, R6W, W.M.; 273 FEET SOUTH AND 1945 FEET WEST FROM THE SE CORNER OF DAVID HENDERSON 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 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 NW 1/4	0.39 ACRE
NW 1/4 NW 1/4	4.64 ACRES
SW 1/4 NW 1/4	0.18 ACRE
SE 1/4 NW 1/4	0.09 ACRE

SECTION 13

TOWNSHIP 12 SOUTH, RANGE 6 WEST, W.M.

SEE NEXT PAGE

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. 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 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 screen is to be in place and functional 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 March 15, 1996

G. Huntington (for)

Water Resources Department
Martha O. Pagel
Director

~~EXHIBIT~~, See W.R.D. No. 8 Page 258