

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RONALD G. BUHR
8608 MT ANGEL HWY
MT ANGEL, OREGON 97362

PHONE: (503) 845-2500

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

APPLICATION FILE NUMBER: S-75865

SOURCE OF WATER: AN UNNAMED STREAM AND TWO UNNAMED RESERVOIRS, TO BE CONSTRUCTED UNDER APPLICATION R-75964, PERMIT R-11695, TRIBUTARY TO THE PUDDING RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 55.2 ACRES

RATE/VOLUME OF USE: 0.67 CUBIC FOOT PER SECOND AND 5.0 ACRE-FEET

PERIOD OF ALLOWED USE: MARCH 1 THROUGH APRIL 30 FROM LIVE FLOW AND STORED WATER AND MAY 1 THROUGH OCTOBER 31 FROM STORED WATER ONLY

DATE OF PRIORITY: DECEMBER 27, 1994

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 15, NE 1/4 SE 1/4, SECTION 16, T6S, R1W, W.M.; DAM 1 - 2600 FEET NORTH AND 390 FEET WEST, DAM 2 - 2460 FEET NORTH AND 10 FEET EAST, BOTH FROM THE SW CORNER OF SECTION 15

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:

SW 1/4 NW 1/4 13.0 ACRES

NW 1/4 SW 1/4 11.4 ACRES

SECTION 15

SE 1/4 NE 1/4 23.7 ACRES

NE 1/4 SE 1/4 7.1 ACRES

SECTION 16

TOWNSHIP 6 SOUTH, RANGE 1 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 may be restricted if the quality of the source stream decreases to the point that it no longer meets existing state and federal water quality standards due to reduced flows.

Any disturbance of the riparian area resulting from development of this permit may be required to be rehabilitated or enhanced to be consistent with the appropriate recovery plan, fish and wildlife program or regional restoration program.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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.

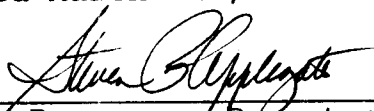
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 29, 1996



Water Resources Department

for Martha O. Pagel
Director