

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MILLER FORESTS, INC.
PO BOX 12395
SALEM, OREGON 97309

(503) 363-0467

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

APPLICATION FILE NUMBER: S-72634

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

PURPOSE OR USE: IRRIGATION OF 34.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 86.3 ACRES

VOLUME OF USE: 197.45 ACRE-FEET STORED WATER ONLY

PERIOD OF ALLOWED USE: WATER MAY BE APPROPRIATED FROM APRIL 1 THROUGH SEPTEMBER 30 PER BUREAU OF RECLAMATION CONTRACT

DATE OF PRIORITY: AUGUST 26, 1992 FOR 169.05 ACRE-FEET AND MAY 3, 1994 FOR AN ADDITIONAL 28.4 ACRE-FEET

POINT OF DIVERSION LOCATION (POD): NW 1/4 SW 1/4, SECTION 31, T7S, R3W, W.M.; POD 1 - 1440 FEET NORTH AND 660 FEET EAST FROM THE SW 1/4 CORNER OF SECTION 31; POD 2 - 200 FEET NORTH AND 150 FEET WEST FROM THE NW CORNER OF J TOWNSEND DLC 74

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE 1/4 NW 1/4	2.6 ACRES	
NE 1/4 SW 1/4	8.7 ACRES	16.6 ACRES
NW 1/4 SW 1/4	2.2 ACRES	0.1 ACRE
SW 1/4 SW 1/4		4.5 ACRES
SE 1/4 SW 1/4		5.6 ACRES
NW 1/4 SE 1/4	0.7 ACRE	8.9 ACRES
SW 1/4 SE 1/4		0.9 ACRE
SE 1/4 SE 1/4		5.0 ACRES

SECTION 31

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SW 1/4 SW 1/4	5.2 ACRES
SECTION 32	
TOWNSHIP 7 SOUTH, RANGE 3 WEST, W.M.	
NW 1/4 NW 1/4	6.0 ACRES
SW 1/4 NW 1/4	0.3 ACRE
SECTION 5	
NE 1/4 NE 1/4	8.5 ACRES
SE 1/4 NE 1/4	5.0 ACRES
SECTION 6	
TOWNSHIP 8 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, 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-W1052 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 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 screens are to be in place, functional and inspected/approved by an ODFW representative prior to diversion of any water.

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.

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.

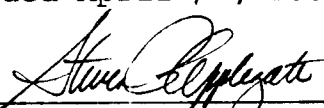
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 April 11, 1996



for Water Resources Department
Martha O. Pagel
Director

Application S-72634 Water Resources Department
Basin 02 Volume 10A, Pettijohn Creek & Misc.
MGMT CODES 1BF, 1BW, 3BW

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District 16