

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MT. JEFFERSON FARMS
PO BOX 12708
SALEM, OREGON 97309

PHONE: (503) 363-0467

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

APPLICATION FILE NUMBER: S-73217

SOURCE OF WATER: NORTH SANTIAM RIVER AND WILLAMETTE BASIN PROJECT RESERVOIR, CONSTRUCTED UNDER PERMIT R-1625, TRIBUTARIES TO THE WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 70.1 ACRES

RATE/VOLUME OF USE: 0.88 CUBIC FOOT PER SECOND OF LIVE FLOW AND NOT TO EXCEED 175.25 ACRE-FEET OF STORED WATER (THE TOTAL AMOUNT OF STORED WATER USED FOR ALL LANDS UNDER THIS APPLICATION AND APPLICATIONS S-73216, S-73389, S-73390, AND S-73391 SHALL NOT EXCEED THE AMOUNT ALLOWED UNDER BUREAU OF RECLAMATION CONTRACT)

PERIOD OF ALLOWED USE: MARCH 1 THROUGH JUNE 30 AND OCTOBER 1 THROUGH OCTOBER 31 FOR LIVE FLOW AND MARCH 1 THROUGH OCTOBER 31 FOR STORED WATER OR AS MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT

DATE OF PRIORITY: JANUARY 29, 1993

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 35, T9S, R2W, W.M.; 5540 FEET NORTH AND 2850 FEET WEST FROM THE SE CORNER OF SMALLMAN 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:

SW 1/4 SE 1/4 7.5 ACRES
SECTION 35
TOWNSHIP 9 SOUTH, RANGE 2 WEST, W.M.

SEE NEXT PAGE

NW 1/4 NE 1/4 1.7 ACRES
 NE 1/4 NW 1/4 8.8 ACRES
 NW 1/4 NW 1/4 2.4 ACRES
 SW 1/4 NW 1/4 6.4 ACRES
 SE 1/4 SW 1/4 8.5 ACRES

SECTION 2

SE 1/4 NE 1/4 5.9 ACRES

SECTION 3

NW 1/4 NE 1/4 0.5 ACRE
 NE 1/4 NW 1/4 28.0 ACRES
 NW 1/4 NW 1/4 0.1 ACRE
 SE 1/4 NW 1/4 0.3 ACRE

SECTION 11

TOWNSHIP 10 SOUTH, RANGE 2 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 of water under this right is subject to the terms and conditions of contract No. 5-07-10-W1046, 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 and by-pass devices are to be in place, functional and 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.

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.

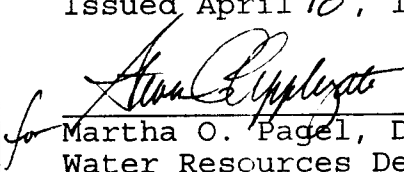
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 18, 1996


Martha O. Pagel, Director
Water Resources Department

Application S-73217 Water Resources Department
Basin 02 Volume 8 North Santiam River & Misc.
MGMT.CODES 1BF, 1BW

PERMIT 52043
District 16