

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF BROWNSVILLE;
DIANE RINKS; CITY MANAGER
PO BOX 188
BROWNSVILLE, OREGON 97327

(503) 466-5880

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

APPLICATION FILE NUMBER: S-74044

SOURCE OF WATER: CALAPOOIA RIVER, A TRIBUTARY OF WILLAMETTE RIVER

PURPOSE OR USE: AESTHETICS (NON-CONSUMPTIVE USE TO PROVIDE FLOW THROUGH CANAL)

RATE OF USE: 2.232 CFS

PERIOD OF ALLOWED USE: MAY 15 THROUGH OCTOBER 15

DATE OF PRIORITY: MAY 11, 1994

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 4, T14S, R2W, W.M.;
500 FEET SOUTH AND 2000 FEET WEST OF THE NE CORNER OF SECTION 4

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SECTION 31

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SE 1/4 SW 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 32

SW 1/4 SW 1/4
SE 1/4 SW 1/4
SECTION 33

TOWNSHIP 13 SOUTH, RANGE 2 WEST, W.M.

NW 1/4 NE 1/4
NE 1/4 NW 1/4
SECTION 4
TOWNSHIP 14 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, 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 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.

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.

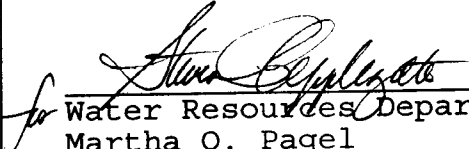
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 this date, June 19, 1996


Water Resources Department
Martha O. Pagel
Director