

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

HIRAM G. OLSEN
C/O DAVID SETNICKER
13605 CORVALLIS ROAD
MONMOUTH, OREGON 97361

503-838-0397

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

APPLICATION FILE NUMBER: S-73595

SOURCE OF WATER: LUCKIAMUTE RIVER, A TRIBUTARY OF WILLAMETTE RIVER, FOR PRIMARY IRRIGATION; WILLAMETTE BASIN STORAGE PROJECTS, CONSTRUCTED UNDER PERMIT R-1625, FOR SUPPLEMENTAL IRRIGATION

PURPOSE OR USE: PRIMARY AND SUPPLEMENTAL IRRIGATION OF 278.5 ACRES

MAXIMUM FLOW/VOLUME ALLOWED: 3.48 CUBIC FEET PER SECOND FROM LUCKIAMUTE RIVER AND 139.25 ACRE-FEET FROM WILLAMETTE BASIN STORAGE PROJECTS

PERIOD OF USE: MARCH 1 THROUGH JULY 31 FOR LIVE FLOW FROM LUCKIAMUTE RIVER; MARCH 1 THROUGH OCTOBER 31, OR AS MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT, FOR STORED WATER FROM THE WILLAMETTE BASIN STORAGE PROJECTS

DATE OF PRIORITY: AUGUST 19, 1993

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 23, TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.; NE 1/4 NW 1/4, SECTION 3, TOWNSHIP 10 SOUTH, RANGE 4 WEST, W.M.; LUCKIAMUTE RIVER DIVERSION - 60 FEET SOUTH & 570 FEET WEST FROM THE NE CORNER OF DLC 53; WILLAMETTE RIVER DIVERSION - 1850 FEET NORTH & 4850 FEET EAST FROM THE NW CORNER OF DLC 67

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:

NW 1/4 NE 1/4	12.1 ACRES
SW 1/4 NE 1/4	19.4 ACRES
NE 1/4 NW 1/4	44.0 ACRES
NW 1/4 NW 1/4	45.0 ACRES
SW 1/4 NW 1/4	39.6 ACRES
SE 1/4 NW 1/4	40.0 ACRES
NW 1/4 SE 1/4	5.4 ACRES

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NW 1/4 SW 1/4 25.8 ACRES
SW 1/4 SW 1/4 2.1 ACRES
NW 1/4 SE 1/4 2.7 ACRES
SECTION 4

NE 1/4 NE 1/4 18.0 ACRES
SE 1/4 NE 1/4 20.0 ACRES
NE 1/4 SE 1/4 4.4 ACRES
SECTION 5

TOWNSHIP 10 SOUTH, RANGE 4 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. 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.

The discharge and diversion points for the stored water added to the Luckiamute River shall be subject to the installation of suitable devices for measuring all incoming natural flows and outflows. The types and plans for such devices shall be approved by the Watermaster and shall be installed under the general supervision of said Watermaster.

No water shall be discharged to the Luckiamute River until the Department of Environmental Quality determines whether any additional permits are necessary. If additional permits are necessary, no water shall be discharged to the Luckiamute River until they are obtained.

The use of water under this right is subject to the terms and conditions of contract No. 5-07-10-W1041, 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.

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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.

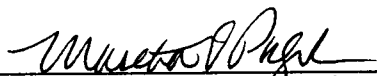
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 September 30, 1996



Martha O. Pagel, Director
Water Resources Department

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Water Resources Department
Volume 9A, Soap Creek & Misc.
MGMT.CODES 1BF, 1BW

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District 16