

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CITY OF MILLERSBURG  
4222 NE OLD SALEM ROAD  
MILLERSBURG, OREGON 97321

(541) 928-4523

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

APPLICATION FILE NUMBER: S-70055

SOURCE OF WATER: SOUTH SANTIAM RIVER, A TRIBUTARY OF WILLAMETTE RIVER

PURPOSE OR USE: MUNICIPAL USE

MAXIMUM RATE/VOLUME ALLOWED: NOT TO EXCEED 22.0 CUBIC FEET PER SECOND  
TOTAL FROM THIS PERMIT AND PERMIT 52885

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 31, 1989

POINT OF DIVERSION LOCATION: NW 1/4 SW 1/4, SECTION 24, T10S, R3W, W.M.;  
2450 FEET NORTH AND 1000 FEET EAST FROM THE SW CORNER OF SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

WITHIN THE CITY OF MILLERSBURG SERVICE AREA

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.

Application S-70055 Water Resources Department T-8257 PERMIT 52886

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 screen is to be in place and functional prior to diversion of any water.

Within one year of permit issuance, the permittee shall submit a water management and conservation plan consistent with OAR Chapter 690, Division 86.

#### 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 October 28, 1996

*G. Huntington*

Martha O. Pagel Director  
Water Resources Department

AMENDED by special order  
v. 53 pg. 874

Application S-70055 Water Resources Department  
Basin 02 Volume 24, SOUTH SANTIAM RIVER & MISC.

PERMIT 52886  
District 02