

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

NORPAC FOODS, INC.
PO BOX 458
STAYTON, OREGON 97383

(503) 769-2101

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

APPLICATION FILE NUMBER: S-74826

SOURCE OF WATER: NORTH SANTIAM RIVER, EFFLUENT, RESERVOIR 1, CONSTRUCTED UNDER PERMIT R-6170, AND RESERVOIRS 2 AND 3, TO BE CONSTRUCTED UNDER APPLICATION R-74827, PERMIT R-12083, TRIBUTARIES OF SANTIAM RIVER

PURPOSE OR USE: IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 220.8 ACRES

RATE/VOLUME OF ALLOWED USE: 1.45 CUBIC FOOT PER SECOND (CFS) OF LIVE FLOW FROM A BRANCH OF THE NORTH SANTIAM RIVER, 2.76 CFS FROM EFFLUENT WHEN AVAILABLE, AND 122.5 ACRE-FEET (AF) PER YEAR FROM STORED WATER BEING; 12.0 AF FROM RESERVOIR 1, 76.75 AF FROM RESERVOIR 2, 33.75 AF FROM RESERVOIR 3

THE PERIOD OF ALLOWED USE: MARCH 1 THROUGH JUNE 30 FOR THE USE OF NATURAL LIVE FLOW FROM THE BRANCH OF THE NORTH SANTIAM RIVER. STORED WATERS MAY BE APPROPRIATED FOR IRRIGATION DURING THE PERIOD MARCH 1 THROUGH OCTOBER 31. EFFLUENT MAY BE USED YEAR ROUND, WHEN AVAILABLE.

DATE OF PRIORITY: OCTOBER 31, 1994

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 16, T 9 S, R 1 W, W.M.; N. SANTIAM R.-190 FEET SOUTH & 500 FEET EAST; RESERVOIRS 1,2,3 - 120 FEET SOUTH & 420 FEET EAST, ALL FROM CENTER CORNER, SECTION 16.

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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u> (from Effluent) * (and Res 1,2 & 3)
SW 1/4 SE 1/4	3.2 ACRES	3.2 ACRES*
SE 1/4 SE 1/4	4.9 ACRES	4.9 ACRES*
SECTION 9		

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	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>	(from Effluent) *(and Res 1,2 & 3)
NW 1/4 NW 1/4	1.1 ACRES	14.7 ACRES*	
NW 1/4 NW 1/4	13.6 ACRES	13.6 ACRES	
	SECTION 15		

NE 1/4 NE 1/4		38.4 ACRES*	
NW 1/4 NE 1/4		33.4 ACRES*	
SW 1/4 NE 1/4		13.3 ACRES*	
SW 1/4 NE 1/4	1.8 ACRES	1.8 ACRES*	
SE 1/4 NE 1/4		5.5 ACRES*	
SE 1/4 NE 1/4	28.8 ACRES	28.8 ACRES	
NE 1/4 SW 1/4	3.3 ACRES	3.3 ACRES	
SE 1/4 SW 1/4	1.5 ACRES	1.5 ACRES	
NE 1/4 SE 1/4	18.4 ACRES	18.4 ACRES	
NW 1/4 SE 1/4	26.4 ACRES	26.4 ACRES	
SW 1/4 SE 1/4	12.5 ACRES	12.5 ACRES	
	SECTION 16		

TOWNSHIP 9 SOUTH, RANGE 1 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 screen is to be in place and functional prior to diversion of any water.

The use of effluent water shall be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water.

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area to the satisfaction of the Oregon Department of Fish & Wildlife.

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The use may be restricted if the quality of the source stream, namely the Willamette River, decreases to the point that it no longer meets state and federal water quality standards due to reduced flows.

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.

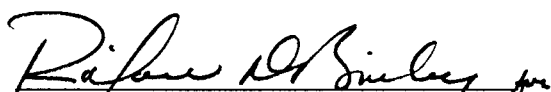
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 November 29, 1996


Martha O. Pagel, Director
Water Resources Department