

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KRAEMER FARMS
13318 DOMINIC RD
MT ANGEL, OREGON 97362

(503)845-2489

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

APPLICATION FILE NUMBER: S-70391

SOURCE OF WATER: BUTTE CREEK, A TRIBUTARY OF PUDDING RIVER

PURPOSE OR USE: IRRIGATION OF 74.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 184.7 ACRES

RATE OF USE: 3.24 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: MARCH 1 THROUGH MAY 31

DATE OF PRIORITY: JUNE 4, 1990

POINT OF DIVERSION LOCATION: NE 1/4 NW 1/4, SECTION 8, T6S, R1E, W.M.; 1130 FEET SOUTH & 100 FEET WEST FROM N 1/4 CORNER, SECTION 8

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:

	PRIMARY	SUPPLEMENTAL
NE 1/4 SE 1/4		17.6 Acres
SE 1/4 SE 1/4		39.4 Acres
	Section 7	
NW 1/4 SW 1/4		7.4 Acres
SW 1/4 SW 1/4		36.8 Acres
	Section 8	

Application S-70391

Water Resources Department

PERMIT 53164

	PRIMARY	SUPPLEMENTAL
NE 1/4 NE 1/4	0.2 Acre	
NW 1/4 NE 1/4	5.7 Acres	
SW 1/4 NE 1/4	39.6 Acres	
SE 1/4 NE 1/4	14.9 Acres	
NE 1/4 NW 1/4	2.1 Acres	
NW 1/4 NW 1/4		33.1 Acres
SE 1/4 NW 1/4	8.2 Acres	10.5 Acres
NE 1/4 SW 1/4	0.1 Acre	0.7 Acre
NW 1/4 SE 1/4	3.2 Acres	

Section 17

NE 1/4 NE 1/4	35.8 Acres
NW 1/4 NE 1/4	3.4 Acres

Section 18

TOWNSHIP 6 SOUTH RANGE 1 EAST, 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 operated 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.

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.

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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. Complete application of the water to the use shall be made on or before October 1, 2001.

Issued May 28, 1997



Water Resources Department
Martha O. Pagel
Director

Basin 02

Volume 15 Butte Creek

District 16

Application S-70391

Water Resources Department

PERMIT 53164