

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

DAVID J BIELENBERG
16425 HERIGSTAD RD NE
SILVERTON, OREGON 97381

(503)873-2710

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

APPLICATION FILE NUMBER: S-71962

SOURCE OF WATER: TWO UNNAMED INTERMITTENT STREAMS AND FIVE UNNAMED RESERVOIRS, TRIBUTARIES OF BUTTE CREEK

PURPOSE OR USE: IRRIGATION OF 187.8 ACRES AND WILDLIFE HABITAT

RATE OF USE: 2.36 CFS FOR IRRIGATION AND 0.01 CFS FOR WILDLIFE USE

VOLUME OF USE: 29.0 ACRE-FEET OF STORED WATER ONLY, BEING 5.0 ACRE-FEET EACH FROM RESERVOIRS 1, 3, 4 AND 5, AND 9.0 ACRE-FEET FROM RESERVOIR 2

PERIOD OF ALLOWED USE:

DECEMBER 1 THROUGH APRIL 30 FOR THE APPROPRIATION OF WATER FOR WILDLIFE USE.

MARCH 1 THROUGH APRIL 30 FOR THE USE OF WATER FROM 2 UNNAMED STREAMS FOR IRRIGATION OF 187.8 ACRES.

MARCH 1 THOUGH OCTOBER 31 FOR THE USE OF STORED WATER ONLY FOR THE IRRIGATION OF 187.8 ACRES.

YEAR ROUND FOR THE USE OF STORED WATER ONLY FOR WILDLIFE USE.

DATE OF PRIORITY: OCTOBER 21, 1991

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Water Resources Department

PERMIT 53180

POINT OF DIVERSION LOCATION: RESERVOIR 1 AND UNNAMED STREAM 2 - SW 1/4 SW 1/4, SECTION 22, T 6S, R1E, W.M.; 30 FEET SOUTH AND 1210 FEET WEST FROM NE COR, DLC 40, RESERVOIR 2 - SE 1/4 SE 1/4, SECTION 21, T 6S, R1E, W.M.; 10 FEET SOUTH AND 2260 FEET WEST FROM NE COR, DLC 40, RESERVOIR 3 AND UNNAMED STREAM 1 - SE 1/4 SE 1/4, SECTION 21, T 6S, R1E, W.M.; 410 FEET SOUTH AND 2310 FEET WEST FROM NE COR, DLC 40, RESERVOIR 4 - NE 1/4 SE 1/4, SECTION 21, T 6S, R1E, W.M.; 250 FEET NORTH AND 2280 FEET WEST FROM NE COR, DLC 40, RESERVOIR 5 - SW 1/4 SW 1/4, SECTION 22, T 6S, R1E, W.M.; 10 FEET SOUTH AND 910 FEET WEST FROM NE COR, DLC 40,

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:

SW 1/4 NE 1/4	28.5 ACRES
SE 1/4 NE 1/4	12.5 ACRES
NE 1/4 SE 1/4	14.8 ACRES
NW 1/4 SE 1/4	29.6 ACRES
SE 1/4 SE 1/4	19.5 ACRES
SECTION 21	
SW 1/4 SW 1/4	27.2 ACRES
SE 1/4 SW 1/4	3.5 ACRES
SECTION 22	
NW 1/4 NW 1/4	30.4 ACRES
SECTION 27	
NE 1/4 NE 1/4	21.8 ACRES
SECTION 28	
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.

This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition May 1 through November 30.

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.

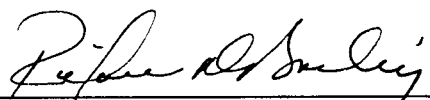
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

Issued June 11, 1997



Water Resources Department
Martha O. Pagel
Director

Basin 02

Volume 15 Butte Cr & Misc.

District 16

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