

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

U.S. FISH AND WILDLIFE; DIVISION OF ENGINEERING
911 NE 11TH AVE
PORTLAND, OREGON 97232 -4181

(503)231-6145

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-80137

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF SIDNEY DITCH

PURPOSE OR USE: WILDLIFE USE AND MAINTENANCE OF FIELD 21 AND 22 POND
POND RESERVOIRS TO BE CONSTRUCTED UNDER APPLICATION R-80136, PERMIT R-
12202

MAXIMUM RATE/VOLUME ALLOWED: 2.3 CUBIC FOOT PER SECOND

WATER MAY BE APPROPRIATED DURING THE PERIOD: NOVEMBER 1 THROUGH MARCH
1 OF EACH YEAR

DATE OF PRIORITY: MARCH 17, 1995

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4, SECTION 17, T9S, R3W, W.M.;
3448 FEET NORTH AND 661 FEET EAST FROM THE NE CORNER OF DLC 47

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 SW 1/4
SW 1/4 SW 1/4
SECTION 16
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 17
NW 1/4 NW 1/4
SECTION 21

TOWNSHIP 9 SOUTH, RANGE 3 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

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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.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish & Wildlife specifications.

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.

The use may be restricted if the quality of the source stream or downstream water decrease to the point that those waters no longer meet state or 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.

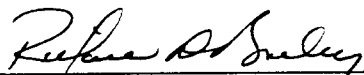
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

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Actual construction work shall begin within one year from permit issuance. The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2001.

Issued July 25 , 1997



Martha O. Pagel, Director
Water Resources Department

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Basin 02 VOLUME 26 WILLAMETTE R & TRIBS
DB MGMT. CODE

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DISTRICT 16