

STATE OF OREGON
COUNTY OF YAMHILL

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JAMES C SHELBURNE
17340 WALLACE RD SE
DAYTON, OREGON 97114

(503) 868-7342

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

APPLICATION FILE NUMBER: S-70773

SOURCE OF WATER: LAMBERT SLOUGH AND WILLAMETTE BASIN PROJECT
RESERVOIRS, CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, TRIBUTARIES OF
WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 2.6 ACRES AND SUPPLEMENTAL IRRIGATION OF
103.8 ACRES

RATE OF USE: 1.33 CUBIC FEET PER SECOND LIVE FLOW, AND 150.0 ACRE-FEET
PER YEAR FROM STORED WATER AMOUNT WITH BUREAU OF RECLAMATION CONTRACT

PERIOD OF ALLOWED USE: MARCH 1 TO OCTOBER 31 FOR LIVE FLOW AND STORED
WATER

DATE OF PRIORITY: OCTOBER 15, 1990

POINT OF DIVERSION LOCATION: NE 1/4 SW 1/4, SECTION 15, T5S, R3W, W.M.;
1570 FEET NORTH AND 1450 FEET EAST FROM THE SW 1/4 CORNER OF SECTION 15

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>
NE 1/4 SW 1/4		25.6 ACRES
NW 1/4 SW 1/4		20.0 ACRES
SW 1/4 SW 1/4		8.1 ACRES
SE 1/4 SW 1/4		37.0 ACRES
NW 1/4 SE 1/4		6.6 ACRES
SW 1/4 SE 1/4		4.7 ACRES
	SECTION 16	
NE 1/4 NW 1/4	2.6 ACRES	1.8 ACRES
	SECTION 21	
	TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.	

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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.
- 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of contract No. 7-07-10-W1141, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

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.

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

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 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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District 16