

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

BUELL-RED PRAIRIE WATER DISTRICT
6430 RED PRAIRIE RD
SHERIDAN, OREGON 97378

(503)843-2218

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

APPLICATION FILE NUMBER: S-71756

SOURCE OF WATER: MOUNTAIN SPRINGS RESERVOIR, TRIBUTARY OF MILL CREEK,
CONSTRUCTED UNDER APPLICATION R-71755, PERMIT R-12221

PURPOSE OR USE: QUASI-MUNICIPAL

RATE/VOLUME ALLOWED: 61.0 ACRE-FEET STORED WATER

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JULY 12, 1991

POINT OF DIVERSION LOCATION: SE 1/4 SW 1/4, SECTION 35, TOWNSHIP 6
SOUTH, RANGE 7 WEST, W.M.; 700 FEET NORTH & 700 FEET WEST FROM S 1/4
CORNER, SECTION 35

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 32

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 33

NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4

SE 1/4 SW 1/4
SECTION 34
TOWNSHIP 5 SOUTH, RANGE 6 WEST, W.M.

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4

SECTION 3

ALL

SECTION 4

ALL

SECTION 5

ALL

SECTION 8

ALL

SECTION 9

ALL

SECTION 10

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4

SECTION 13

ALL

SECTION 14

ALL

SECTION 15

ALL

SECTION 16

ALL

SECTION 17

ALL

SECTION 18

ALL

SECTION 19

ALL

SECTION 20

ALL

SECTION 21

ALL

SECTION 22

ALL

SECTION 23

NE 1/4 NW 1/4
NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
NE 1/4 SW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4

SECTION 24

ALL

SECTION 27

ALL

SECTION 28

ALL

SECTION 29

ALL

SECTION 30

ALL

SECTION 31

ALL

SECTION 32

ALL

SECTION 33

ALL

SECTION 34

ALL

SECTION 35

TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.

ALL

SECTION 13

ALL

SECTION 24

ALL

SECTION 25

ALL

SECTION 35

ALL

SECTION 36

TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.

ALL

SECTION 4

NE 1/4 NE 1/4

NW 1/4 NE 1/4

SW 1/4 NE 1/4

SE 1/4 NE 1/4

SECTION 8

NE 1/4 NE 1/4

NW 1/4 NE 1/4

SW 1/4 NE 1/4

SE 1/4 NE 1/4

NE 1/4 NW 1/4

NW 1/4 NW 1/4

SW 1/4 NW 1/4
SE 1/4 NW 1/4
SECTION 9
TOWNSHIP 7 SOUTH, RANGE 6 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.
- 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.

Any extension of this permit will be consistent with the water management and conservation plan required under Permit 51165. If Permit 51165 is cancelled or otherwise withdrawn, within TWO YEARS, the permittee shall submit a water management and conservation plan consistent with OAR Chapter 690, Division 86.

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 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.

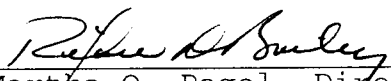
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 September 5, 1997


Martha O. Pagel, Director
Water Resources Department