

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

C M HUBBARD AND SON
27511 W INGRAM ISLAND RD
MONROE, OREGON 97456

(503) 847-5285

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

APPLICATION FILE NUMBER: S-71790

SOURCE OF WATER: UNNAMED LAKE WITHIN THE LONG TOM RIVER BASIN, WILLAMETTE BASIN PROJECT RESERVOIR (FERN RIDGE) CONSTRUCTED UNDER PERMIT R-1625

PURPOSE OR USE: IRRIGATION OF 225.1 ACRES, AND SUPPLEMENTAL IRRIGATION OF 136.3 ACRES BOTH BEING FROM THE UNNAMED LAKE; AND SUPPLEMENTAL IRRIGATION OF 350.7 ACRES FROM STORED WATER

RATE/VOLUME ALLOWED: 4.51 CFS, BEING 2.81 CFS FOR PRIMARY IRRIGATION AND 1.7 CFS FOR SUPPLEMENTAL IRRIGATION FROM THE UNNAMED LAKE; AND 4.38 CFS NOT TO EXCEED 876.5 ACRE FEET OF STORED WATER ONLY

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 (STORED WATER MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION CONTRACT)

DATE OF PRIORITY: AUGUST 7, 1991, FOR THE UNNAMED LAKE AND JANUARY 15, 1992, FOR THE STORED WATER

POINT OF DIVERSION LOCATIONS: SE 1/4 NW 1/4, SECTION 27, NE 1/4 NE 1/4, SECTION 33, T14S, R5W, W.M., UNNAMED LAKE - 3670 FEET NORTH AND 2700 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 27; LONG TOM NORTH - 50 FEET SOUTH AND 1210 FEET WEST, LONG TOM SOUTH - 740 FEET SOUTH AND 1500 FEET WEST, BOTH FROM THE NORTHEAST CORNER OF SECTION 33; FERN RIDGE DAM - SECTIONS 3 AND 4, T17S, R5W, W.M.

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 UNNAMED LAKE</u>	<u>SUPPLEMENTAL STORED WATER</u>
NE 1/4 NW 1/4	35.0 ACRES	35.0 ACRES
NW 1/4 NW 1/4	39.7 ACRES	39.7 ACRES
SW 1/4 NW 1/4 22.6 ACRES	10.5 ACRES	32.4 ACRES

Application S-71790 Water Resources Department T 8104 PERMIT 53304

SE 1/4 NW 1/4	22.7 ACRES	10.0 ACRES	32.7 ACRES
NE 1/4 SW 1/4	39.8 ACRES		39.8 ACRES
NW 1/4 SW 1/4	30.6 ACRES		30.6 ACRES
SW 1/4 SW 1/4	26.7 ACRES		26.7 ACRES
SE 1/4 SW 1/4	39.8 ACRES		39.8 ACRES
NE 1/4 SE 1/4		0.2 ACRE	
NW 1/4 SE 1/4	14.4 ACRES	1.5 ACRES	14.4 ACRES
SW 1/4 SE 1/4	19.4 ACRES	20.0 ACRES	38.8 ACRES
SE 1/4 SE 1/4		19.4 ACRES	11.7 ACRES
SECTION 27			
NW 1/4 NE 1/4	2.3 ACRES		2.3 ACRES
NE 1/4 NW 1/4	4.5 ACRES		4.5 ACRES
NW 1/4 NW 1/4	2.3 ACRES		2.3 ACRES

SECTION 34

TOWNSHIP 14 SOUTH, RANGE 5 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 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 operate fish screening to prevent fish from entering the proposed diversion. The permittee shall also install a fishway at the obstruction that will provide adequate upstream and downstream passage for fish. The required screens and fishways are to be in place and functional, and the fishway must be approved by Oregon Department of Fish and Wildlife before diversion of any water.

The use of stored water under this right is subject to the terms and conditions of contract No. 2-07-10-W0886 and 5-07-10-W1035, 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.

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, 2002.

Issued December 29 , 1997



Martha O. Pagel, Director
Water Resources Department

AMENDED by special order
v. 53 pg. 564