

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM J. STELLMACHER  
30416 STELLMACHER DR ST  
ALBANY, OREGON 97321

ART WAGGLE  
35130 RIVERSIDE DR SW  
ALBANY, OREGON 97321

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

APPLICATION FILE NUMBER: S-71570

SOURCE OF WATER: HORSESHOE LAKE AND WILLAMETTE BASIN PROJECT RESERVOIRS,  
CONSTRUCTED UNDER PERMIT R-5363, TRIBUTARIES OF WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 53.8 ACRES

MAXIMUM RATE: 0.67 CUBIC FOOT PER SECOND FROM LIVE FLOW AND NOT MORE  
THAN 134.5 ACRE-FEET (AF) PER YEAR FROM STORED WATER ONLY, PROVIDED THAT  
THE TOTAL VOLUME OF STORED WATER USED UNDER THIS PERMIT TOGETHER WITH  
ANY AMOUNT USED UNDER PERMIT 53335 DOES NOT EXCEED 150.0 AF PER YEAR,  
BEING THE AMOUNT OF STORED WATER MADE AVAILABLE UNDER THE BUREAU OF  
RECLAMATION WATER SUPPLY CONTRACT

PERIOD OF USE: MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER  
31 FROM LIVE FLOW; STORED WATER MAY BE USED MARCH 1 THROUGH OCTOBER 31  
OR AS FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT

DATE OF PRIORITY: MAY 6, 1991

POINT OF DIVERSION LOCATION: SE 1/4 SE 1/4, SECTION 16, NW 1/4  
NW 1/4, SECTION 22, T11S, R4W, W.M.; PRIMARY - 230 FEET NORTH AND 800  
FEET WEST FROM THE SE CORNER OF SECTION 16; SECONDARY - 530 FEET SOUTH  
AND 240 FEET EAST FROM THE NW CORNER OF SECTION 22

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:

NE 1/4 NE 1/4	34.6 ACRES
NW 1/4 NE 1/4	13.8 ACRES
NE 1/4 NW 1/4	1.6 ACRES
SECTION 21	
NW 1/4 NW 1/4	3.8 ACRES
SECTION 22	
TOWNSHIP 11 SOUTH, RANGE 4 WEST, W.M.	

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PERMIT 53334

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.

Applicant may pump directly from proposed points of diversion on Horseshoe Lake unless pumping causes substantial interference with more senior water right users and regulation occurs, then use must stop.

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, functional, and approved by Oregon Department of Fish and Wildlife before diversion of any water.

The use of water under this right is subject to the terms and conditions of Contract No. 8-07-10-W1195, 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.

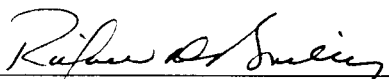
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 February 12 , 1998



Martha O. Pagel, Director  
Water Resources Department

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Basin 02 Volume 24, Willamette River S½ & Misc.  
MGMT.CODES 1BF, 1BW

PERMIT 53334  
District 02