

STATE OF OREGON

COUNTY OF LANE

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

STAHLBUSH ISLAND FARMS  
WILLIAM CHAMBERS  
3122 STAHLBUSH ISLAND ROAD  
CORVALLIS, OREGON 97333

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

APPLICATION FILE NUMBER: S-84098

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

PURPOSE OR USE: IRRIGATION OF 359.0 ACRES

MAXIMUM VOLUME ALLOWED: 775.0 ACRE-FEET PER YEAR

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 OR AS FURTHER LIMITED BY CONTRACT

DATE OF PRIORITY: MARCH 15, 1999

POINT OF DIVERSION LOCATION: NE 1/4 NE 1/4, SECTION 16, T18S, R2W, W.M.; 525 FEET SOUTH & 1075 FEET WEST FROM NE CORNER, SECTION 16

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 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4 35.0 ACRES

SE 1/4 NE 1/4 7.0 ACRES

NE 1/4 NW 1/4 25.0 ACRES

NW 1/4 NW 1/4 5.0 ACRES

SW 1/4 NW 1/4 1.0 ACRES  
SE 1/4 NW 1/4 20.0 ACRES  
NE 1/4 SW 1/4 10.0 ACRES  
SE 1/4 SW 1/4 12.0 ACRES  
NE 1/4 SE 1/4 9.0 ACRES  
NW 1/4 SE 1/4 40.0 ACRES  
SW 1/4 SE 1/4 40.0 ACRES  
SE 1/4 SE 1/4 6.0 ACRES  
SECTION 16

NE 1/4 NE 1/4 25.0 ACRES  
NW 1/4 NE 1/4 40.0 ACRES  
SW 1/4 NE 1/4 20.0 ACRES  
SE 1/4 NE 1/4 5.0 ACRES  
NE 1/4 NW 1/4 35.0 ACRES  
NW 1/4 NW 1/4 3.0 ACRES  
SW 1/4 NW 1/4 1.0 ACRES  
SE 1/4 NW 1/4 20.0 ACRES  
SECTION 21

TOWNSHIP 18 SOUTH, RANGE 2 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 use of water under this right is subject to the terms and conditions of contract No. 9-07-10-W1252, 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.

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.

Actual construction work shall begin by December 23, 2000. Complete application of the water to the use shall be made on or before October 1, 2004. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued December 23, 1999

  
Martha O. Pagel, Director  
Water Resources Department

NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Application S-84098      Water Resources Department  
Basin 02                      Volume 1 MID FK WILLAMETTE R  
AMH                              MGMT.CODE 1BF 1BW

PERMIT 53638  
District 2