

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

OREGON DEPARTMENT OF FORESTRY
22965 NORTH FORK ROAD SE
LYONS, OREGON 97358

(503)859-2151

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

APPLICATION FILE NUMBER: S-75318

SOURCE OF WATER: FOUR UNNAMED STREAMS, TRIBUTARIES OF NORTH SANTIAM RIVER

PURPOSE OR USE: MULTIPLE USE FOREST MANAGEMENT (FIRE SUPPRESSION, HERBICIDE APPLICATION, AND ROAD CONSTRUCTION)

MAXIMUM RATE ALLOWED: 2.0 CUBIC FOOT PER SECOND (CFS), BEING 0.5 CFS FROM EACH DIVERSION

PERIOD OF USE: SEPTEMBER 1 THROUGH OCTOBER 31

DATE OF PRIORITY: DECEMBER 9, 1994

POINT OF DIVERSION LOCATION: SE 1/4 NW 1/4, SECTION 32, T9S, R4E, W.M., NE 1/4 SE 1/4, SECTION 12, NE 1/4 NW 1/4, SECTION 21, T10S, R3E, W.M., SW 1/4 SW 1/4, SECTION 4, T10S, R4E, W.M.; DIV 1 (TOM ROCK CABIN) - 80 FEET SOUTH & 420 FEET WEST FROM N1/4 CORNER, SECTION 21; DIV 4 (WAGON ROAD) - 790 FEET SOUTH & 710 FEET WEST FROM E1/4 CORNER, SECTION 12, T10S, R3E, W.M.; DIV 6 (BURBANK NO. 2) - 240 FEET NORTH & 490 FEET EAST FROM SW CORNER, SECTION 4, T10S, R4E, W.M.; DIV 7 (GREEN MOUNTAIN) - 2060 FEET SOUTH & 530 FEET WEST FROM N1/4 CORNER, SECTION 32, T9S, R4E, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE 1/4 NW 1/4
SECTION 32
TOWNSHIP 9 SOUTH, RANGE 4 EAST, W.M.

NE 1/4 SE 1/4
SECTION 12
NE 1/4 NW 1/4
SECTION 21

TOWNSHIP 10 SOUTH, RANGE 3 EAST, W.M.

SW 1/4 SW 1/4

SECTION 4

TOWNSHIP 10 SOUTH, RANGE 4 EAST, 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.

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.

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 permittee may submit evidence that the Oregon Department of Fish and Wildlife (ODFW) has determined screens and/or fishways are not necessary. The required screens and fishways are to be in place, functional, and approved by ODFW before 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.

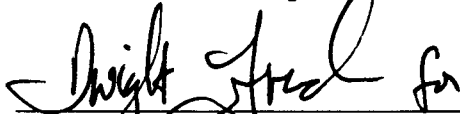
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 by February **22**, 2001. Complete application of the water to the use shall be made on or before October 1, 2005. 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 February **23**, 2001



Paul R. Cleary, Director
Water Resources Department