

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

GREENBERRY IRRIGATION DISTRICT  
ATTN: LARRY VENELL  
30742 VENELL PLACE  
CORVALLIS, OREGON 97333

(541) 752-2446

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

APPLICATION FILE NUMBER: S-85176

SOURCE OF WATER: WILLAMETTE RIVER, A TRIBUTARY OF COLUMBIA RIVER

PURPOSE OR USE: AGRICULTURE USE

MAXIMUM RATE: 22.0 CUBIC FEET PER SECOND

PERIOD OF USE: SEPTEMBER 1 THROUGH JUNE 30

DATE OF PRIORITY: MAY 15, 2002

POINT OF DIVERSION LOCATIONS (POD):

POD #1: SE 1/4 SW 1/4, SECTION 25, T13S, R5W, W.M.; GPS:  
442424.18595N, 1231449.35625W; 750 FEET NORTH AND 1350  
FEET EAST FROM SW CORNER, SECTION 25

POD #2: SE 1/4 NW 1/4, SECTION 14, T13S, R5W, W.M.; GPS: N294402  
E7479914; 2600 FEET SOUTH AND 1650 FEET EAST FROM NW  
CORNER, SECTION 14

POD #3: SW 1/4 NE 1/4, SECTION 11, T13S, R5W, W.M.; GPS: N299630  
E7481677; 2550 FEET SOUTH AND 3150 FEET EAST FROM SW  
CORNER, SECTION 11

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.

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## THE PLACE OF USE IS LOCATED AS FOLLOWS:

SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  8.5 ACRES  
 NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  4.2 ACRES  
 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  13.3 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  22.0 ACRES  
 SECTION 21  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  16.0 ACRES  
 SECTION 22  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  8.2 ACRES  
 SECTION 23  
 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  5.0 ACRES  
 SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  2.0 ACRES  
 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  12.8 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  3.0 ACRES  
 SECTION 26  
 NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  22.8 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  10.0 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
 SECTION 27  
 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  2.0 ACRES  
 SECTION 28  
 NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  4.5 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  39.0 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  34.0 ACRES  
 NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  9.1 ACRES  
 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  33.9 ACRES  
 SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  1.3 ACRES  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  28.5 ACRES  
 SECTION 29  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  26.0 ACRES  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  14.0 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  20.0 ACRES  
 SECTION 32  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.8 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  19.5 ACRES  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  22.0 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  37.3 ACRES  
 SECTION 33  
 NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  11.0 ACRES  
 NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  1.4 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  12.0 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  37.6 ACRES

NE ¼ SW ¼ 40.0 ACRES  
 NW ¼ SW ¼ 40.0 ACRES  
 SW ¼ SW ¼ 39.6 ACRES  
 SE ¼ SW ¼ 39.8 ACRES  
 NE ¼ SE ¼ 35.0 ACRES  
 NW ¼ SE ¼ 39.2 ACRES  
 SW ¼ SE ¼ 33.2 ACRES  
 SE ¼ SE ¼ 23.0 ACRES

SECTION 34

SW ¼ SE ¼ 8.0 ACRES  
 SE ¼ SE ¼ 28.6 ACRES

SECTION 35

TOWNSHIP 12 SOUTH, RANGE 5 WEST, W.M.

NE ¼ NE ¼ 9.4 ACRES  
 NW ¼ NE ¼ 4.0 ACRES  
 SW ¼ NE ¼ 13.5 ACRES  
 NE ¼ NW ¼ 13.0 ACRES  
 NW ¼ NW ¼ 36.6 ACRES  
 SW ¼ NW ¼ 40.0 ACRES  
 SE ¼ NW ¼ 35.0 ACRES  
 NE ¼ SW ¼ 9.0 ACRES  
 NW ¼ SW ¼ 8.8 ACRES  
 NW ¼ SE ¼ 4.1 ACRES  
 SE ¼ SE ¼ 1.0 ACRE

SECTION 2

NE ¼ NE ¼ 15.3 ACRES  
 NW ¼ NE ¼ 19.6 ACRES  
 SW ¼ NE ¼ 38.5 ACRES  
 SE ¼ NE ¼ 39.0 ACRES  
 NE ¼ NW ¼ 35.7 ACRES  
 NW ¼ NW ¼ 35.4 ACRES  
 SW ¼ NW ¼ 40.0 ACRES  
 SE ¼ NW ¼ 40.0 ACRES  
 NE ¼ SW ¼ 40.0 ACRES  
 NW ¼ SW ¼ 40.0 ACRES  
 SW ¼ SW ¼ 40.0 ACRES  
 SE ¼ SW ¼ 40.0 ACRES  
 NE ¼ SE ¼ 27.0 ACRES  
 NW ¼ SE ¼ 38.5 ACRES  
 SW ¼ SE ¼ 38.2 ACRES  
 SE ¼ SE ¼ 21.3 ACRES

SECTION 3

NE ¼ NE ¼ 33.0 ACRES  
 NW ¼ NE ¼ 24.4 ACRES  
 SW ¼ NE ¼ 33.0 ACRES

SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  40.0 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  3.1 ACRES  
 SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  3.4 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.9 ACRES  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  39.4 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES

## SECTION 4

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  29.3 ACRES  
 NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  40.0 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  19.4 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  15.8 ACRES  
 NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  5.1 ACRES  
 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  3.4 ACRES  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  2.6 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  10.0 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  15.0 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  15.0 ACRES

## SECTION 9

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  18.8 ACRES  
 NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  34.2 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  23.1 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  13.2 ACRES  
 NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  40.0 ACRES  
 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  40.0 ACRES  
 SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  35.6 ACRES  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  39.9 ACRES  
 NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  37.0 ACRES  
 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES  
 SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  35.5 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  12.8 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  37.2 ACRES  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  10.0 ACRES

## SECTION 10

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  19.0 ACRES  
 NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  10.0 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  7.0 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  3.4 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  13.0 ACRES

## SECTION 11

NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  18.0 ACRES  
 SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  3.5 ACRES



NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  16.5 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  9.0 ACRES

## SECTION 13

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  4.8 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  12.6 ACRES  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  2.6 ACRES

## SECTION 14

SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  34.5 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  5.0 ACRES  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  10.5 ACRES  
 NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  38.0 ACRES  
 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES  
 SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  37.7 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  2.3 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  39.0 ACRES

## SECTION 15

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  33.0 ACRES  
 NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  33.7 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  34.0 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  26.0 ACRES  
 NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  40.0 ACRES  
 NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  18.0 ACRES  
 SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  16.2 ACRES  
 SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  39.0 ACRES  
 NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  22.2 ACRES  
 NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  17.4 ACRES  
 SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  11.4 ACRES  
 SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  20.6 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  18.0 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  34.5 ACRES  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  35.0 ACRES  
 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  6.0 ACRES

## SECTION 16

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  0.3 ACRE  
 NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  4.7 ACRES  
 SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  7.0 ACRES  
 SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  10.0 ACRES  
 SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  10.0 ACRES  
 NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  2.0 ACRES  
 NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  1.0 ACRE  
 SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  10.0 ACRES

## SECTION 17

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  18.0 ACRES  
NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  7.0 ACRES

## SECTION 20

SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  4.2 ACRES  
SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  4.2 ACRES  
SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  1.6 ACRES  
NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  10.6 ACRES  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  11.0 ACRES

## SECTION 21

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  8.6 ACRES  
NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  33.0 ACRES  
SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  31.2 ACRES  
NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  33.1 ACRES  
NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  36.4 ACRES  
SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  5.6 ACRES  
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  27.9 ACRES  
NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  2.8 ACRES  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  3.0 ACRES

## SECTION 22

SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  6.0 ACRES  
NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  5.0 ACRES  
SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  3.5 ACRES

## SECTION 23

NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  17.8 ACRES  
NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  5.2 ACRES  
NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  33.0 ACRES  
SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  40.0 ACRES  
SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  22.0 ACRES

## SECTION 26

NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  12.0 ACRES  
SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  30.0 ACRES  
NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES  
NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  28.0 ACRES  
SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  27.8 ACRES  
SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  40.0 ACRES

## SECTION 27

NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  40.0 ACRES  
NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  37.0 ACRES  
SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  22.0 ACRES  
SE  $\frac{1}{4}$  NE  $\frac{1}{4}$  22.0 ACRES  
SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  1.1 ACRES

## SECTION 34

NE ¼ NW ¼ 5.0 ACRES

NW ¼ NW ¼ 24.8 ACRES

SW ¼ NW ¼ 10.6 ACRES

SECTION 35

TOWNSHIP 13 SOUTH, RANGE 5 WEST, W.M.

SW ¼ SW ¼ 20.0 ACRES

SECTION 4

SE ¼ SE ¼ 25.0 ACRES

SECTION 5

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 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.

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.

This permit does not relieve the water user of the responsibility to adhere with all applicable state and federal water quality standards.

**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.

Complete application of the water to the use shall be made on or before October 1, 2007. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

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 January 16, 2003

  
Paul R. Cleary, Director  
Water Resources Department

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REAL ESTATE TRANSACTIONS: 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.

CULTURAL RESOURCES PROTECTION LAWS: Permittees involved in ground-disturbing activities should be aware of federal and state cultural resources protection laws. ORS 358.920 prohibits the excavation, injury, destruction or alteration of an archeological site or object, or removal of archeological objects from public and private lands without an archeological permit issued by the State Historic Preservation Office. 16 USC 470, Section 106, National Historic Preservation Act of 1966 requires a federal agency, prior to any undertaking to take into account the effect of the undertaking that is included on or eligible for inclusion in the National Register. For further information, contact the State Historic Preservation Office at 503-378-4168, extension 232.



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