

STATE OF OREGON

COUNTY OF BENTON

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

LARRY VENELL
GREENBERRY IRRIGATION DISTRICT
30742 VENELL PLACE
CORVALLIS, OR 97333

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

APPLICATION FILE NUMBER: S-85410

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

PURPOSE OR USE: IRRIGATION USE ON 4248.5 ACRES

MAXIMUM RATE: 52.93 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: JANUARY 3, 2003

POINT OF DIVERSION (POD) LOCATIONS:

POD 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 25, T13S, R5W, W.M.; 1300 FEET NORTH & 1300 FEET EAST FROM SW CORNER, SECTION 25

POD 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 19, T13S, R4W, W.M.; 3146 FEET NORTH & 1281 FEET EAST FROM SW CORNER, SECTION 19

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:

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

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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 $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 39.6 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.8 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.0 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.2 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33.2 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 23.0 ACRES

SECTION 34

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 28.6 ACRES

SECTION 35

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.4 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.0 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.5 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 13.0 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 36.6 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 35.0 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.0 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 8.8 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.1 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.0 ACRES

SECTION 2

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 15.3 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 19.6 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.5 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39.0 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 35.7 ACRES
 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 35.4 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 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 $\frac{1}{4}$ 40.0 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 27.0 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.5 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 38.2 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 21.3 ACRES

SECTION 3

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 33.0 ACRES
 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 24.4 ACRES
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 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 ¼ NE ¼ 13.2 ACRES	NE ¼ SW ¼ 22.2 ACRES
NE ¼ NW ¼ 40.0 ACRES	NW ¼ SW ¼ 17.4 ACRES
NW ¼ NW ¼ 40.0 ACRES	SW ¼ SW ¼ 11.4 ACRES
SW ¼ NW ¼ 35.5 ACRES	SE ¼ SW ¼ 20.6 ACRES
SE ¼ NW ¼ 39.9 ACRES	NE ¼ SE ¼ 18.0 ACRES
NE ¼ SW ¼ 37.0 ACRES	NW ¼ SE ¼ 34.5 ACRES
NW ¼ SW ¼ 40.0 ACRES	SW ¼ SE ¼ 35.0 ACRES
SE ¼ SW ¼ 35.6 ACRES	SE ¼ SE ¼ 6.0 ACRES
NE ¼ SE ¼ 12.8 ACRES	SECTION 16
NW ¼ SE ¼ 37.2 ACRES	NE ¼ NE ¼ 0.3 ACRES
SW ¼ SE ¼ 40.0 ACRES	NW ¼ NE ¼ 4.7 ACRES
SE ¼ SE ¼ 10.0 ACRES	SW ¼ NE ¼ 7.0 ACRES
SECTION 10	SE ¼ NE ¼ 10.0 ACRES
NE ¼ NE ¼ 19.0 ACRES	SE ¼ SW ¼ 10.0 ACRES
NW ¼ NE ¼ 10.0 ACRES	NE ¼ SE ¼ 2.0 ACRES
SW ¼ NE ¼ 7.0 ACRES	NW ¼ SE ¼ 1.0 ACRES
SE ¼ NE ¼ 3.4 ACRES	SW ¼ SE ¼ 10.0 ACRES
SW ¼ SW ¼ 40.0 ACRES	SECTION 17
NW ¼ SE ¼ 13.0 ACRES	NW ¼ NE ¼ 18.0 ACRES
SECTION 11	NE ¼ NW ¼ 7.0 ACRES
NW ¼ NW ¼ 18.0 ACRES	SECTION 20
SW ¼ NW ¼ 3.5 ACRES	SW ¼ NE ¼ 4.2 ACRES
NW ¼ SW ¼ 16.5 ACRES	SE ¼ NE ¼ 4.2 ACRES
SW ¼ SW ¼ 9.0 ACRES	SW ¼ NW ¼ 1.6 ACRES
SECTION 13	NE ¼ SE ¼ 10.6 ACRES
NW ¼ NE ¼ 4.8 ACRES	NW ¼ SE ¼ 11.0 ACRES
SW ¼ NE ¼ 12.6 ACRES	SECTION 21
SE ¼ NW ¼ 2.6 ACRES	NE ¼ NE ¼ 8.6 ACRES
SECTION 14	NW ¼ NE ¼ 33.0 ACRES
SW ¼ NE ¼ 34.5 ACRES	SW ¼ NE ¼ 31.2 ACRES
SE ¼ NE ¼ 5.0 ACRES	NE ¼ NW ¼ 33.1 ACRES
SE ¼ NW ¼ 10.5 ACRES	NW ¼ NW ¼ 36.4 ACRES
NE ¼ SW ¼ 38.0 ACRES	SW ¼ NW ¼ 5.6 ACRES
NW ¼ SW ¼ 40.0 ACRES	SE ¼ NW ¼ 27.9 ACRES
SW ¼ SW ¼ 40.0 ACRES	NE ¼ SW ¼ 2.8 ACRES
SE ¼ SW ¼ 37.7 ACRES	NW ¼ SE ¼ 3.0 ACRES
NE ¼ SE ¼ 2.3 ACRES	SECTION 22
NW ¼ SE ¼ 40.0 ACRES	SW ¼ NW ¼ 6.0 ACRES
SW ¼ SE ¼ 39.0 ACRES	NW ¼ SW ¼ 5.0 ACRES
SECTION 15	SW ¼ SW ¼ 3.5 ACRES
NE ¼ NE ¼ 33.0 ACRES	SECTION 23
NW ¼ NE ¼ 33.7 ACRES	NW ¼ NW ¼ 17.8 ACRES
SW ¼ NE ¼ 34.0 ACRES	NE ¼ SW ¼ 5.2 ACRES
SE ¼ NE ¼ 26.0 ACRES	NW ¼ SW ¼ 33.0 ACRES
NE ¼ NW ¼ 40.0 ACRES	SW ¼ SW ¼ 40.0 ACRES
NW ¼ NW ¼ 18.0 ACRES	SE ¼ SW ¼ 22.0 ACRES
SW ¼ NW ¼ 16.2 ACRES	SECTION 26
SE ¼ NW ¼ 39.0 ACRES	

NW ¼ NE ¼ 12.0 ACRES
 SE ¼ NE ¼ 30.0 ACRES
 NE ¼ SE ¼ 40.0 ACRES
 NW ¼ SE ¼ 28.0 ACRES
 SW ¼ SE ¼ 27.8 ACRES
 SE ¼ SE ¼ 40.0 ACRES
 SECTION 27
 NE ¼ NE ¼ 40.0 ACRES
 NW ¼ NE ¼ 37.0 ACRES
 SW ¼ NE ¼ 22.0 ACRES
 SE ¼ NE ¼ 22.0 ACRES
 SE ¼ NW ¼ 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.

Conditions regarding expiration:

Except as provided below, this permit allows the use of live flow for irrigation for five years.

Except as provided below, this permit expires, without additional notice or appeal opportunity, five years from the date of issuance or upon execution of a valid irrigation water service contract between the Bureau of Reclamation (Bureau) and the permittee, whichever is earlier.

The permittee shall notify the Department immediately when the permittee has been issued an irrigation water service contract.

If despite the permittee's good faith efforts, the Bureau and permittee have not executed a contract within three months of the permit expiration date, Permittee may request and the Department may allow this permit to remain in effect for a period of up to two additional years.

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.

This right is limited to any deficiency in the available supply of any prior right existing for the same lands.

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.

The permittee shall install, maintain, and operate fish screening as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens are to be in place, functional and approved by an ODFW representative prior to 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.

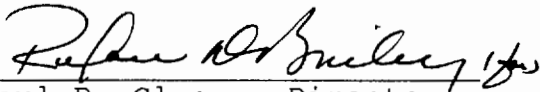
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

Complete application of the water to the use shall be made on or before October 1, 2008. 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). Because this permit expires no later than seven years after issuance, this permit will not be cancelled for failure to submit a claim of beneficial use.

Issued April 26, 2004



Paul R. Cleary, Director
Water Resources Department

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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District 16