

STATE OF OREGON

COUNTY OF MARION

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

SCOTT AND KEVIN ANSELM
4742 LIBERTY RD S 216
SALEM, OR 97302

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

APPLICATION FILE NUMBER: S-87065

SOURCE OF WATER: UNNAMED STREAM, ANSELM RESERVOIR 1, AND ANSELM RESERVOIR 2, CONSTRUCTED UNDER PERMIT R-14643 TRIBUTARIES TO WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION USE ON 1.25 ACRES, SUPPLEMENTAL IRRIGATION ON 1.25 ACRES AND POND MAINTENANCE

MAXIMUM RATE AND VOLUME: 0.026 CUBIC FOOT PER SECOND (CFS) FROM AN UNNAMED STREAM, BEING 0.016 CFS FOR IRRIGATION USE AND 0.01 CFS FOR POND MAINTENANCE; 1.14 ACRE FEET (AF), BEING 0.04 AF FROM ANSELM RESERVOIR 1 AND 1.1 AF FROM ANSELM RESERVOIR 2 FOR IRRIGATION USE AND SUPPLEMENTAL IRRIGATION USE

PERIOD OF USE:

UNNAMED STREAM - MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31 FOR IRRIGATION USE

UNNAMED STREAM - YEAR-ROUND FOR POND MAINTENANCE

ANSELM RESERVOIR 1 AND ANSELM RESERVOIR 2 - JULY 1 THROUGH AUGUST 31 FOR IRRIGATION USE

ANSELM RESERVOIR 1 AND ANSELM RESERVOIR 2 - MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31 FOR SUPPLEMENTAL IRRIGATION USE

DATE OF PRIORITY: JANUARY 10, 2008

POINTS OF DIVERSION LOCATION:

UNNAMED STREAM - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 35, T8S, R4W, W.M.; 345 FEET NORTH AND 380 FEET WEST FROM E1/4 CORNER, SECTION 35

ANSELM RESERVOIR 1 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 35, T8S, R4W, W.M.; 345 FEET NORTH AND 380 FEET WEST FROM E1/4 CORNER, SECTION 35

ANSELM RESERVOIR 2 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 35, T8S, R4W, W.M.; 180 FEET NORTH AND 260 FEET WEST FROM E1/4 CORNER, SECTION 35

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 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 $\frac{1}{4}$ NE $\frac{1}{4}$ 1.25 ACRES AND POND MAINTENANCE
SECTION 35
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the meter(s) in good working order.
- B. The permittee shall allow the watermaster access to the meter(s); provided however, where any meter 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.

STANDARD CONDITIONS

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.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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 in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of

mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR Chapter 635, Division 415, Section 030 adopted November 13, 1991 shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

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.

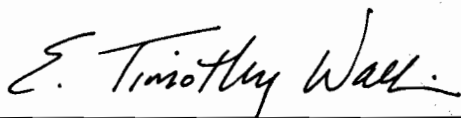
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

Completion of construction and complete application of the water to the use shall be made on or before October 1, 2012. 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 September 18, 2008



for Phillip C. Ward, Director
Water Resources Department