

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO:

OLSEN AGRICULTURE ENTERPRISES
 8930 SUVER ROAD
 MONMOUTH, OR 97361

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

APPLICATION FILE NUMBER: S-87894

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

PURPOSE OR USE: PRIMARY IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 278.5 ACRES

MAXIMUM VOLUME: 278.5 ACRE FEET

DATE OF PRIORITY: APRIL 30, 2013

Use	Period
Primary Irrigation	August 1 - October 31
Supplemental Irrigation	March 1 – July 31

Authorized Points of Diversion and Re-Diversion:

		Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Diversion (Nut Farm)	Willamette River to pipeline	9 S	4 W	WM	26	SWNW	1650 FEET SOUTH AND 1000 FEET EAST FROM SW CORNER, SECTION 23
Re-Diversion	Pipeline into Luckiamute River	9 S	4 W	WM	27	SESW	20 FEET NORTH AND 700 FEET WEST FROM S ¼ CORNER, SECTION 27
Re-Diversion (Olsen)	Luckiamute River	10 S	4 W	WM	3	NENW	60 FEET SOUTH AND 650 FEET WEST FROM NE CORNER, DLC 53

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	4 W	WM	4	NW NE	12.10
10 S	4 W	WM	4	SW NE	19.40
10 S	4 W	WM	4	NE NW	44.00
10 S	4 W	WM	4	NW NW	45.00

Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	4 W	WM	4	SW NW	39.60
10 S	4 W	WM	4	SE NW	40.00
10 S	4 W	WM	4	NE SW	5.40
10 S	4 W	WM	4	NW SW	25.80
10 S	4 W	WM	4	SW SW	2.10
10 S	4 W	WM	4	NE SE	2.70
10 S	4 W	WM	5	NE NE	18.00
10 S	4 W	WM	5	SE NE	20.00
10 S	4 W	WM	5	NE SE	4.40

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 and each point of re-diversion, and maintain the meter(s) in good working order. The permittee 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; where a meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

The water user shall maintain and operate the existing fish screens at the diversion from the Willamette River (Nut Farm Diversion) and at the re-diversion from the Luckiamute River (Olsen Diversion) consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. The water user may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

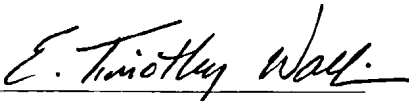
The use of water under this right is subject to the terms and conditions of contract No. 139E101794, or a satisfactory replacement, between the Bureau of Reclamation and the permittee, a copy of which must be on file in the records of the Water Resources Department.

STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.
4. 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.

5. 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.
6. 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, shall be followed.
7. Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
8. Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued August 28 2013.



E. Timothy Wallin, Water Rights Program Manager
for Phillip C. Ward, Director