

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

MARY OLSON  
15305 DUNN FOREST RD  
MONMOUTH OR 97361

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

APPLICATION FILE NUMBER: S-88433

MAXIMUM VOLUME AND RATE, SOURCE, AND PURPOSE OR USE:

3.0 ACRE-FEET OF STORED WATER FROM AIRLIE WINERY RESERVOIR,  
CONSTRUCTED UNDER PERMIT R-15289, FOR IRRIGATION OF 35.9 ACRES

0.03 CUBIC FOOT PER SECOND FROM AN UNNAMED TRIBUTARY, TRIBUTARY  
TO FULLER CREEK, FOR POND MAINTENANCE

PERIOD OF USE:

IRRIGATION: MARCH 1 THROUGH OCTOBER 31

POND MAINTENANCE: NOVEMBER 1 THROUGH MAY 30

DATE OF PRIORITY: JULY 27, 2017

POINTS OF DIVERSION:

POD	POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 (DAM)	AIRLIE WINERY RESERVOIR	10 S	5 W	WM	6	NW SE	1420 FEET NORTH AND 1840 FEET WEST FROM SE CORNER, SECTION 6
2 (PUMP)	AN UNNAMED TRIBUTARY	10 S	5 W	WM	6	NW SE	1490 FEET NORTH AND 1860 FEET WEST FROM SE CORNER, SECTION 6

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:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
10 S	5 W	WM	6	NE SW	14.0
10 S	5 W	WM	6	SE SW	6.2
10 S	5 W	WM	6	NW SE	7.9
10 S	5 W	WM	6	SW SE	7.8

POND MAINTENANCE				
Twp	Rng	Mer	Sec	Q-Q
10 S	5 W	WM	6	NW SE
10 S	5 W	WM	6	SW SE

**1. Water Use Measurement, Recording, and Reporting Condition:**

- 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 device in good working order.
  - B. The permittee shall allow the watermaster access to the device; provided however, where any 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 volume of water diverted, 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.
  - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
2. 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 635-415, shall be followed.
  3. The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
  4. The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.

5. **Prohibited Activities:** Permittee may not cause pollution of any waters of the state, or place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means, per ORS 468B.025(1). If the Oregon Department of Environmental Quality (ODEQ) determines that pollution of waters of the state is occurring, the permittee does not in compliance with ORS 468B.025(1), ODEQ shall notify OWRD of the violation.
6. **Pond releases:** Permittee shall not release polluted off-channel stored water into waters of the state, unless under emergency situations. For routine maintenance, the Permittee shall land apply stored water or provide treatment prior to releasing it to surface waters. Permittee shall comply with OAR 340-041 and ensure that water-quality standards are not violated by releases from storage.

### 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. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
7. Complete 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 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.

Issued SEP 24 2019

A handwritten signature in blue ink, appearing to read "Dwight French", written over a horizontal line.

Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department