

STATE OF OREGON

COUNTY OF LINN

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CRAIG EDMINSTER  
 PO BOX 3162  
 ALBANY OR 97321

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

APPLICATION FILE NUMBER: S-88739

SOURCE OF WATER: CALAPOOIA RIVER, TRIBUTARY TO WILLAMETTE RIVER; AND HAWKIN POND, CONSTRUCTED UNDER PERMIT R-15423, TRIBUTARY TO CALAPOOIA RIVER

SOURCE	RATE/VOLUME	USE	ACRES	PERIOD OF USE
CALAPOOIA RIVER	0.20 CUBIC FOOT PER SECOND	PRIMARY IRRIGATION	32.0	MAY 1 THROUGH JUNE 30
HAWKIN POND	45.0 ACRE-FEET	PRIMARY IRRIGATION	32.0	JULY 1 THROUGH SEPTEMBER 30
		SUPPLEMENTAL IRRIGATION	32.0	MAY 1 THROUGH JUNE 30

DATE OF PRIORITY: SEPTEMBER 3, 2019

AUTHORIZED POINTS OF DIVERSION:

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
POD 1 – CALAPOOIA RIVER	14 S	2 W	WM	12	SW SW	575 FEET NORTH AND 1065 FEET EAST FROM SW CORNER, SECTION 12
POD 2 – HAWKIN POND	14 S	2 W	WM	12	SW SW	570 FEET NORTH AND 800 FEET EAST FROM SW CORNER, SECTION 12

AUTHORIZED PLACE OF USE:

PRIMARY AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	2 W	WM	12	NW SW	0.4
14 S	2 W	WM	12	SW SW	17.5
14 S	2 W	WM	12	SE SW	0.2
14 S	2 W	WM	13	NE NW	8.7
14 S	2 W	WM	13	NW NW	5.2

**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. Fish Screen Condition:**

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 prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.

**3. Riparian Condition:**

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.

**4. Water Quality Condition:**

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.

**5. Agricultural Water Quality Management Area Rules Condition:**

The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules in OAR 603-095. The permittee shall protect riparian areas, including through irrigation practices and the management of any livestock, allowing site capable vegetation to establish and grow along

streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.


**6. Off-Channel Stored Water Releases:**

The permittee shall not release polluted water from the off-channel reservoir into waters of the state except when the release is directed by the State Engineer to prevent dam failure.

**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 OCT 27 2020

  
Katherine Ratcliffe  
Water Right Section Manager, for  
Thomas M. Byler, Director  
Oregon Water Resources Department