

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

JIM TURIN AND SONS INC. D.B.A. MT. HOOD ROCK PRODUCTS  
JAMES C. TURIN, PRESIDENT  
P.O. BOX 175  
WELCHES, OREGON 97067

PHONE: (503) 622-4900

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

APPLICATION FILE NUMBER: G-14592

SOURCE OF WATER: A WELL IN NORTH FORK BOULDER CREEK BASIN

PURPOSE OR USE: DOMESTIC, MINING AND INDUSTRIAL USE

MAXIMUM RATE: A CUMULATIVE TOTAL OF 0.056 CUBIC FOOT PER SECOND (CFS),  
FURTHER LIMITED TO NO MORE THAN 0.005 CFS FOR DOMESTIC USE

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: AUGUST 8, 1997

POINT OF DIVERSION LOCATION: SW 1/4 NE 1/4, SECTION 24, T2S, R6E, W.M.;  
NORTH 57 DEGREES 30 MINUTES WEST, 1598 FEET FROM E1/4 CORNER SECTION 24

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
SECTION 24

TOWNSHIP 2 SOUTH, RANGE 6 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.

- B. 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.

Use of water under authority of this permit may be regulated if analysis of data available after the permit is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

If the number, location, or construction of any well deviates from that proposed in the permit application or permit conditions, the conclusions of the Technical Review, Initial Review or Proposed Final Order under which this permit was granted may be revised, conditions may be appropriately revised, or this permit may not be valid.

The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

This permit does not allow for water to be used for heap leach mining operations.

#### STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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.

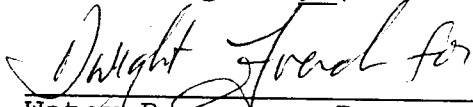
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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.

Actual construction of the well shall begin by June 8, 1999. Complete application of the water to the use shall be made on or before October 1, 2002. 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 August 21, 1998



Water Resources Department  
Director

Application G-14592  
Basin 03  
LKS

Water Resources Department  
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PERMIT G-13465  
District 20